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AGENDAS/MINUTES
COMMITTEE OF THE WHOLE
CITY OF HAMILTON

JUNE 18, 2002

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City of Hamilton

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GOVERNMENT DOCUMENTS

AGENDA

COMMITTEE OF THE WHOLE 02-025

Tuesday, June 18, 2002

9:30 a.m.

Council Chamber
Hamilton City Hall
71 Main Street West
Hamilton, Ontario

Kevin C. Christenson
City Clerk

Please note: All cellular telephones and pagers to be switched to a non-audible function during Council and Committee meetings.

Agenda available on-line at www.city.hamilton.on.ca
(click on "City Government")

1. DECLARATIONS OF INTEREST

2. ADOPTION OF MINUTES

2.1 June 4, 2002

3. DELEGATION REQUESTS

None at the time of printing

4. CONSENT ITEMS

4.1 Appointment of Weed Inspectors for the City of Hamilton (CS02052) (City Wide)

4.2 Barton Village Business Improvement Area (B.I.A.) - Revised Board of Management (PD02113) (Ward 3)

4.3 Core Heritage 2000 Program: Approval of Grants for the Properties at 203 Main Street East and 130 King Street East (PD02108) (Ward 2)

4.4 2001 Clean Air Hamilton Progress Report (PD01039(a)) (City Wide)

4.5 Temporary Closure for the Ontario Association of Triathletes and the Provincial Triathlon and Duathlon Championships (TOE02107) (Ward 14)

4.6 Temporary Closures for Black Flower Productions Limited and the Filming of The Yeltsin Project (TOE02106) (Ward 2)

4.7 To Incorporate Certain City Land into Various Streets by By-law (TOE02105) (Ward 11)

4.8 Request for Stop Control - Intersections of Delmar Drive at Geneva Drive and at Cambria Court (TOE02104)

4.9 U-Turn Prohibition - Mohawk Road West at Old Mohawk Road and Scenic Drive (TOE02103) (Ward 12)

4.10 Intersection Control - Intersection of Filice court and Donnici Drive (TOE02102) (Ward 8)

4.11 University Pass - McMaster Graduate Students Association (TOE02100) (City Wide)

4.12 Two-Way Conversion of James Street North and John Street North - Traffic By-law Amendments (TOE02109) (Ward 2)

5. STAFF PRESENTATIONS

5.1 Business Plan and Budget: Process and Schedule (CM02003) (City Wide)

5.2 Community Services Parks, Culture and Recreation Master Plan (CS02050) (City Wide)

5.3 Marina Presentation (CS02003(a)) (City Wide)

DISCUSSION ITEMS

6. CITY MANAGER

None

7. COMMUNITY SERVICES

7.1 2003 Bell Canadian Open Golf Tournament (CS02051) (Affects Ward 12) (City Wide)

7.2 Hamilton Beach Trail - Design Approval - Partnership with Hamilton Waterfront Trust (CS02053) (Ward 5) (City Wide)

8. CORPORATE SECRETARIAT

None

9. ECONOMIC DEVELOPMENT

None

10. FINANCE AND CORPORATE SERVICES

10.1 2003 Municipal Election (FCS02065)

10.2 Award of Cellular Services Contract (FCS02068)

10.3 2001 Reserve Report Summary (FCS02069) (City Wide)

10.4 Computer Leases - MFP Ltd. (FCS02072) (City Wide)

11. HUMAN RESOURCES

11.1 Performance Management and Payment of Performance Incentives for Seniors Staff - 2001 (HUR02007) (City Wide)

12. PLANNING AND DEVELOPMENT

12.1 The Provincial Rent Supplement Program (PD02096) (City Wide)

12.2 Designation of 61 Robinson Street under Part IV of the Ontario Heritage Act (PD02118) (Ward 2)

12.3 Request for the Payment of Cash-in-Lieu of Parking for Lands Located at 4, 6 and 8 King Street East (former City of Stoney Creek) (PD02114)

13. SOCIAL AND PUBLIC HEALTH SERVICES

13.1 2002 West Nile Virus Response (SPH02017) (City Wide)

13.2 Industry Education Regarding Designated Smoking Rooms

14. TRANSPORTATION, OPERATIONS AND ENVIRONMENT

14.1 Mid Peninsula Highway (TOE02112) (City Wide)

14.2 Request for All-Way Stop Control - Craigroyston Road & Lucerne Avenue (TOE02101)

15. JOINT DEPARTMENTAL REPORTS

15.1 Solid Waste Collection Tax Exemption and Rebate Policies (FCS02067/TOE02099) (City Wide)

15.2 Municipal Act Project - Sanitary Sewer on Seabreeze Crescent and McNeilly Road (FCS02066/TOE02098) (Ward 11)

15.3 Approval to Expropriate for Sewer Easement South of Stone Church Road - Upper James Street to West 5th Street (TOE02113/CS02054/PD02121) (Ward 8)

15.4 Proposed 2002 User Fee changes (FCS02071/PD02123) (City Wide)

16. MOTIONS

17. NOTICES OF MOTIONS

18. GENERAL INFORMATION

19. PRIVATE AND CONFIDENTIAL

20. ADJOURNMENT

OUTSTANDING BUSINESS

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
A.	Remuneration for Elected Officials	Feb 14/01	Finance & Corporate Services – Financial Services	Referred to staff for a report back on the establishment of a citizen committee to address the remuneration of the Mayor and Members of Council six months before the end of Council's term of office	2002 – Q3
B.	Report on Colliers Recommendations – HECFI Facilities	March 28/01	Community Services		2002 - Q1
C.	Demolition of 226 Avondale Street	April 25/01	N/A		TABLED by Ward Councillor
D.	Municipal Election 2000	May 9/01	Finance & Corporate Services – City Clerk	Referred to staff for a report back in 2002	2002 – Q2
E.	Municipal Alcohol Risk Management Guidelines	Sept 26/01	Community Services	Staff to bring a report back on Risk Management surveys within Southern Ontario and old policies from former municipalities	
F.	Red Hill Creek Expressway	Nov 21/01	Legal/ Finance/TOE	Recovery of cost/ overexpense from FEDS	2002 – Q1

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
G.	Toll for Red Hill Creek Expressway	Nov 21/01	TOE/Finance	Staff to bring a report back on option for tolling Red Hill Creek Expressway	Awaiting Provincial Regulations
H.	Annual State of the City	Nov 21/01	Mayor/City Manager/Corporate Secretariat	Report back detailing information for inclusion in an Annual State of the City Report	
I.	HSR Pension Plan	Nov 21/01	Finance and Corporate Services	Staff to report back on group of pensioners not covered by the Pension plan	2002 – Q2
J.	Spreading of Biosolids	Nov 21/01	Transportation and Environment	TABLED pending Staff report	
K.	Urban Boundary	Dec 4/01	Planning & Development	Referral by HSC for staff to report back to COW	2002 – Q2
L.	Community Safety Zones	Dec5/01	Transportation and Environment	Referred back to staff for further consideration	2002 – Q2
M.	People's Panel	Dec5/01	TBD	Staff to report back on financial and staffing implications, selection process, terms of reference and implementation timeline	
N.	Broadcasting Communications Facilities	Dec5/01	Community Services	COW to revisit at a later date	
O.	Aquafit Seniors/Disabled Fees	March 5/02	Community Services	Staff to prepare critical analysis	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
P.	Workshop for Marina Development	Jan.8/02	Community Services		
Q.	Traffic By-law Amendment - Road Hockey/Sports	Jan.8/02	Police/TOE and Legal Services	Staff to report back	June 25/02
R.	Council Communication - Waste Collection - Special Policy Areas and Third Party Advertising on Public Road Allowances	Jan. 23/02	Transportation, Operations and Environment		
S.	Council Communication - Residential Care Facilities	Jan. 23/02	Social and Public Health Services	Referred to staff for comments	
T.	Strategy to attract Factory Outlet stores	Feb. 13/02	Economic Development	Staff to bring implementation plan to Committee	
U.	Strategy for priorizing abandoned industrial and commercial warehouse structures	Feb. 13/02	Economic Development	Staff to bring implementation plan to Committee	
V.	Shortage of Area Doctors	March 6/02 Council	Social and Public Health	Staff to report back on shortages	
W.	Remuneration and Expenses	March 5/02	Finance and Corporate Services		
X.	Hamilton Emergency Services - Master Plan	March 5/02	Community Services	Staff to report back	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
Y.	Harbour Port Authority	Feb. 13/02	Finance and Corporate Services	Staff to report back on additional revenues from Port Authority	June 18/02
Z.	Harbour West Boating School	May 7/02	Community Services	Defer consideration on letters patent pending consideration of Parks, Culture and Recreation Master Plan	June/2002
AA	Pest Control	May 7/02	Planning and Development	Staff to report back on control of pests/rodents prior to demolition permit issued	
BB	Land Use Committee of Adjustment	May 7/02		Staff to investigate on a variety of issues including changes of land	
CC	Marina Assets	May 7/02	Community Services	Staff to report back on the selling of Marina assets to Port Authority	
DD	La Salle Park	May 7/02	Community Services	Staff to approach City of Burlington to explore feasibility of re-examining terms and conditions of lease	
EE	Alternative Service Delivery for installation of roadway signs and posts	May 7/02	TOE	Staff to report back with results and recommendation on this matter	
FF	Hannon Post Office	May 7/02	Corporate Secretariat	Staff to report back on possibility of address changes that align with telephone exchanges	

	Issue	Date Action Initiated	Lead Dept/Div	Status	Agenda Item
G	Satellite Multi Tasking	Apr. 30/02		Sub-Committee to report back in one month	
HH	Training in Food Safety - recommendation to AMO and AIPHA	Apr. 30/02	Social and Public Health	Staff to bring report back	
II.	Correspondence from Hamilton District Labour Council/HUC Corporation Position Paper	Apr. 30/02	HUC/Finance and Corporate Services	Staff to bring report back	
JJ.	HR Matters	May 7/02	Economic Development	Staff to report back	
KK	Consolidated Rural Municipal Numbering By-law	May 7/02	Planning and Development	Referred to staff for outside pricing and report back	
LL.	Municipal Tax Competitiveness Study	May 23/02	Finance and Corporate Services	Referred to a Future COW in September	Sept. 24/02
M	Creation of a Permanent Hamilton Future Fund - Interim Report	May 23/02	Mayor's Office	Tabled to a subsequent COW meeting	

SECTION 2

2.1

Committee of the Whole

MINUTES

9:30 a.m.
Tuesday, June 4, 2002
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present:	Mayor R. Wade Councillors A. Bain, D. Braden, M. Caplan, C. Collins, F. D'Amico, L. Dilanni, M. Ferguson, A. Horwath, T. Jackson, B. Kelly, M. McCarthy, S. Merulla, D. Mitchell, B. Morelli
Absent with regrets:	Councillor R. Powers – City Business
Also Present:	R. Robertson, City Manager B. Mathews-Malone, Acting General Manager of Transportation Operations and Environment B. Coopersmith, General Manager, Community Services R. Rossini, Acting General Manager, Finance and Corporate Services C. Graham, General Manager, Human Resources H. Hale Tomasik, A/ General Manager, Social and Public Health Services L.A. Coveyduck, General Manager, Planning and Development N. Everson, Executive Director, Economic Development A. L. Heron, Executive Director, Corporate Secretariat R. Caterini, Deputy Clerk M. Gallagher, Co-ordinator, Council/Committee of the Whole

Mayor R. Wade called the meeting to order.

THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR APPROVAL:

1. **Declaration of Surplus Property; By-law to Stop-up, Close and Sell; Offer to Purchase - Portion of Beach Boulevard, Stoney Creek (CS02048) (Ward 10) (Item 4.1)**

(a) That the lands forming part of Beach Boulevard (Not Travelled) original road allowance described as Part of Lot 19, Concession 2; Part of Beach Blvd., Registered Plan 658 and Part of Beach Blvd., Registered Plan 863, more particularly described as Part 1 on Registered Reference Plan 62R-15422, and subject to an easement to be reserved in the name of the City of Hamilton, and more particularly described as Part 2 on Registered Reference Plan 62R-16116 be declared surplus to the requirements of the City of Hamilton in accordance with the Real Property By-law No. 4206-95;

(b) That Corporate Buildings & Real Estate Division be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 4206-95;

(c) That the attached By-law to Stop-up, Close and Sell the subject portion of the road allowance, described as Part of Lot 19, Concession 2; Part of Beach Blvd., Registered Plan 658 and Part of Beach Blvd., Registered Plan 863, more particularly described as Part 1 on Registered Reference Plan 62R-15422, subject to an easement to be reserved in the name of the City of Hamilton, more particularly described as Part 2 on Registered Reference Plan 62R-16116, as approved by Corporate Council, Legal Services, be passed and enacted;

(d) That the Offer to Purchase, duly executed by Adorn Investments Limited on May 1, 2002 and scheduled to close on or before July 15, 2002, being composed of Part of Lot 19, Concession 2; Part of Beach Blvd., Registered Plan 658 and Part of Beach Blvd., Registered Plan 863, more particularly described as Part 1 on Registered Reference Plan 62R-15422, subject to an easement to be reserved in the name of the City of Hamilton, more particularly described as Part 2 on Registered Reference Plan 62R-16116, be approved and completed. The sale is also conditional upon the City enacting a By-law to Stop-up, Close and Sell part of the road allowance as described above. Funds derived from the sale of the road allowance in the amount of $4,000 be credited to Account No. 47702-3560150100 (Reserve for Sale Proceeds/ Revenues);

(e) That it be understood and agreed that the Offer to Purchase be conditional on the following:

  (i) the City enact a by-law to authorize the stop-up, closure and sale of the subject section of the road allowance and will comply with the procedures for that purpose as set out in the Municipal Act, R.S.O. 1990, c.M.45;

(f) That it is understood and agreed that the lands being transferred are to be subject to an easement in favour of the City of Hamilton on those lands described as Part 2 on Plan 62R-16116;

(g) That the Mayor and City Clerk be authorized and directed to execute the Offer to Purchase and all ancillary documents in a form satisfactory to Corporate Counsel;

(h) That the City Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:

  (i) satisfactory Notice has been given pursuant to Section 300 of the Municipal Act. Notice of the intended sale was given through advertisement in the Hamilton Spectator on August 24 and 31, September 7 and 14, 2001;

  (ii) the sale of the subject lands falls within the class of properties that do not require an appraisal under subsection 193(4) of the Municipal Act. CARRIED.

2. Renewal of Contract for Fibre Optic Services for the Trunked Radio System (CS02046) (City Wide) (Item 4.3)

(a) That Mountain Cablevision's tender for fibre optic services for the trunked radio system be accepted as the winning (only) bid;

(b) That those services listed as "Optional Point to Point Circuits" on the pricing page of the tender response, not be accepted and be deleted from the contract in (c) below;

(c) That the City Clerk be authorised to sign a Contract for the provision and maintenance of fibre optic circuits, between The City of Hamilton, and Mountain Cablevision Ltd. for a three year term at the fixed rate of $10,800.00 per month;

(d) That the cost of this equipment and services be funded from the Radio Trunking System Operating Budget account number 56110-780005. CARRIED.

3. Lease Termination Expense - 25 Main Street West (CS02034) (City Wide) (Item 4.4)

(a) That the General Manager of Finance be authorized and directed to prepare a cheque in the amount of $124,836.69 (plus interest) made payable to Wilson, Blanchard Management Inc. for outstanding costs associated with leasehold improvement removals and parking costs for the property previously leased at 25 Main Street West;

(b) That the General Manager of Finance accept a certified cheque from Office Mortgage Investments Inc. and Wilson, Blanchard Management Inc. in the amount of $278,499.39, being the full amount of taxes owing the City of Hamilton on the property at 40 James Street South, roll number 020.124.00900 (owned by Office Mortgage Investments Inc. and Wilson, Blanchard Management Inc.);

(c) That the said cheques be exchanged contemporaneously;

(d) That written assurance be provided by Wilson, Blanchard Management Inc. that all the lease obligations at 25 Main Street West be closed with the exchange of the cheques. CARRIED.

4. Amendments to By-law No. 01-084 to Appoint Municipal Law Enforcement Officers (City Wide) (FCS02055) (Item 4.5)

(a) That the following persons be appointed as Municipal Law Enforcement Officers, pursuant to Section 15(1) of the Police Services Act R.S.O. 1990, Chapter P15:

Paul Sertic
Douglas Longboat
Lawrence Dilks
Stephen Bailey

(b) That the appointments of the following persons as Municipal Law Enforcement Officers be rescinded:

Nick Valenti
Al Adams
Bill Christensen
Pat Pearce

(c) That an appropriate by-law in the form attached hereto as Appendix "A" to Report FCS02055, to amend By-law No. 01-084 accordingly be passed and enacted. CARRIED.

5. Quarterly Investment Update (FCS02045) (City Wide) (Item 4.6)

That Report FCS02045,"Quarterly Investment Update ", be received for information. CARRIED.

6. Monthly Status Report of Tenders and Requests for Proposals - April (FCS02014(d) (City Wide) (Item 4.7)

That the monthly status report of Tenders and Requests for Proposals for April 2002 as set out in Appendix 'A' to Report FCS02014(d) be received. CARRIED.

7. Recommendation to Designate Under the Ontario Heritage Act - Root Cellar on the property at Fennell Avenue and West 5th (Mohawk College) (PD02097) (Ward 8) (Item 4.8)

(a) That the request for designation by Mohawk College of the Root Cellar as a property of historic or architectural value or interest pursuant to the provisions of Part IV of the Ontario Heritage Act, 1990, be approved.

(b) That Corporate Counsel be directed to take appropriate action to designate the Root Cellar, Mohawk College under Part IV of the Ontario Heritage Act, 1990, as described in the attached Reasons for Designation (Appendix C). CARRIED.

8. Heritage Permit Application (2002-008) Under Part V of the Ontario Heritage Act to permit the addition of awnings to an existing Building at 175 St. Clair Boulevard, City of Hamilton (PD02098) (Ward 3) (Item 4.9)

That the Heritage Permit (HP-2002-008) be approved for five (5) awnings in accordance with the illustration (attached as Appendix C to Report PD02098) accompanying the permit application subject to the following condition:

(a) That the metal canister and fittings be painted to match the existing trim colour of the house. CARRIED.

9. Heritage Permit Application (2002-009) Under Part V of the Ontario Heritage Act to permit the construction of a detached residence and garage at 991 Beach Boulevard, City of Hamilton (PD02099) (Ward 5) (Item 4.10)

That Heritage Permit (HP2002-009) be approved for the construction of a detached residence and garage at 991 Beach Boulevard, Hamilton, according to the drawing (attached as Appendix B to Report PD02099) accompanying the permit application and subject to the following condition:

(a) That the colour and type of asphalt shingle be submitted to Heritage staff for approval prior to installation.

(b) That the stucco application be carried down to grade. CARRIED.

10. Expropriation of Easement Over 7 Governors Road, City of Hamilton, for the purposes of servicing the new development "Spencer Creek Village", at 50 Hatt Street (PD01174(b)) (Item 4.11)

(a) That an Offer of Compensation, based on an appraisal received, be made in the amount of Thirty Two Thousand ($32,000) Dollars, for an easement over lands being Part of Lot 30, Registrar's Compiled Plan 1442, in the former Town of Dundas, and more particularly described as Part 1 on Reference Plan 62R-15069, owned by 363057 Ontario Limited, subject to an adjustment of +5% to reflect changes (if any) to the market value as of the Owner's statutory date for the election of compensation;

(b) That should the owner, 363057 Ontario Limited, (Jack Haver, Mark Goldenberg) accept the Offer and sign and execute the required Agreement by Owner to Accept Compensation, that the Mayor and the City Clerk be authorized to sign and execute the said Agreement on behalf of the City of Hamilton;

(c) That the City Clerk, Corporate Counsel, and all other required City officials be authorized to prepare, sign and serve the Notice of Possession and any other notices or documents required to finalize this transaction;

(d) That Corporate Counsel, or their designate, be authorized to apply to the Courts to abridge the time for vacant possession, if deemed necessary; and,

(e) That all expenditures associated with this transaction be charged to "Property Purchases and Sales", Account No. HAMTN 3560150100. CARRIED.

11. 2002 Upwind Downwind: A Practical Conference on Improving Air Quality (PD99118(b)) (City Wide) (Item 4.12)

That Report PD99118(b) regarding the 2002 Upwind Downwind: A Practical Conference on Improving Air Quality, be received. CARRIED.

12. Stop Control at the Intersections of Briarose Place and Southridge Drive; Southridge Drive and Cherrygrove Crescent and Briarose Place (TOE02095) (Item 4.13)

(a) That eastbound traffic on Briarose Place be required to stop for northbound and southbound traffic on Southridge Drive; and,

(b) That eastbound traffic on Cherrygrove Crescent be required to stop for northbound and southbound traffic on Southridge Drive; and,

(c) That northbound traffic on Cherrygrove Crescent be required to stop for eastbound and westbound traffic on Briarose Place; and,

(d) That an appropriate by-law to amend the City Traffic By-law 01-215 be passed and enacted. CARRIED.

13. Glanbrook Landfill Co-ordinating Committee, March Proceedings (TOE02093) (Ward 11) (Item 4.14)

(a) That the attached meeting notes of the March 25, 2002 meeting of the Glanbrook Landfill Co-ordinating Committee meeting be received.

(b) That staff continue to work with the Committee on the co-ordination of issues regarding landfill operations. CARRIED.

14. Appointment of a Drainage Superintendent for the City of Hamilton as per The Drainage Act R.S.O. 1990 (TOE02091) (City Wide) (Item 4.15)

That a By-law appointing Bob Paul as the Drainage Superintendent for the City of Hamilton, in the form attached, be passed and enacted. CARRIED.

15. **Intersection of Olmstead Street and Macklin Street - Intersection Control (TOE02096) Ward 1) (Item 4.16)**

(a) That eastbound traffic on Olmstead Street be required to stop for northbound and southbound traffic on Macklin Street; and

(b) That the by-law to amend the City of Hamilton Traffic By-law 01-215 be approved. CARRIED.

16. **Commonwealth Games Bid Proposal 2010 (City Wide) – New Business**

(a) That City Council approve a joint bid by the City of Hamilton and the Hamilton Spectator for submission to Commonwealth Games Canada (CGC) to host the 2010 Commonwealth Games;

(b) That a working budget set at an upset amount of $300,000 to research, prepare and present the bid by the October 31, 2002 submission deadline to CGC be approved;

(c) That the $300,000 budget be funded from the Tax Stabilization Reserve;

(d) That 4 city representatives from the Hamilton Bid Team be approved to attend the Commonwealth Games in Manchester, England scheduled from July 21, 2002 to August 5, 2002 to be funded from the approved budget;

(e) That staff be authorized and directed, with the assistance of consultants, to develop plans and collect necessary information for the bid process and report back to Council prior to the August 14, 2002 letter of intent submission and all costs to be funded from the approved budget;

(f) That the Mayor be authorized to formally submit, prior to August 14, 2002, a letter of intent to bid on the 2010 Commonwealth Games;

(g) That a Commonwealth Games Bid Sub-Committee be established consisting of members of Council, staff, key volunteers in the community and corporate partners.

(h) That a preliminary investigation be undertaken to analyze infrastructure of other bidding cities and that the analysis be brought back to Council. CARRIED.

17. **2002 National Child Benefit Reinvestment Strategy (SPH02016) (City Wide) (Item 5.1)**

(a) That the City of Hamilton's 2002 National Child Benefit Reinvestment Strategy attached as Appendix B to report SPH02016, be approved.

(b) That the approved strategy be submitted to the Ministry of Community, Family and Children's Services as required by the Province.

(c) That staff be authorized to re-direct funds within the approved 2002 National Child Benefit Strategy for the City of Hamilton, and to direct funds to new proposals, if the proposal meets the predetermined criteria and is up to $100,000, as expenditures and needs change throughout the year, to ensure that all funds are expended by December 31, 2002, as required by the Province.

(d) That on an annual basis, staff provide a report to Council recommending future reinvestment strategies for the City of Hamilton National Child Benefit Savings, as required by the Province. CARRIED.

18. **Ivor Wynne Stadium - Entertainment Events - Upgrades for One-Time Concert (CS01104(a)) (Ward 3) (Item 6.1)**

(a) That the General Manager of Community Services be authorized and directed to proceed with upgrades to Ivor Wynne Stadium in the amount of $25,000 (part of the $350,000 previously approved on December 11, 2001, Item #19 of Report 01-038, CS01104), to allow for the use of the Stadium for a one-time concert performance in 2002;

(b) That the above noted upgrades be funded through the tax stabilization reserve, with repayment being made from revenue received from a $1.50 ticket surcharge;

(c) That following the concert, a complete review be undertaken in order to determine the feasibility of hosting further concerts and of completing the upgrades in order to make Ivor Wynne Stadium an acceptable concert venue. CARRIED.

19. **Steel City Stadium Entertainment Complex**

That the Executive Summary of the Steel City Stadium Entertainment Complex Report be received. CARRIED.

20. **Industrial Park - Extension to the Commencement and Completion of Construction Dates - Aeropark Lands - Orlick Industries (ECO02007) (Ward 11 and City Wide) (Item 7.1)**

(a) That the Offer to Purchase the lands known as Part of Lot 5, Concession 3, Township of Glanford designated as Pt. 1, 62R-12209 and Pts. 7, 13, 19, 20, 25, 26 & 27, 62R-12459, municipally known as 2530 Highway #6, formerly in the Town of Glanbrook, now in the City of Hamilton, duly executed by the Purchaser, Orlick Industries Limited, on April 12, 2000 and approved by Regional Council on December 21, 1999, Item 1 of Report 8-99 of the Economic Development and Tourism Committee, be amended as follows;

i) That clause 8.7 – the commencement of construction date be extended from May 2, 2002 to May 2, 2003,

ii) That clause 8.8 – the completion of construction date be extended from November 30, 2003 to November 30, 2004.

(b) That all other terms and conditions of the agreement shall remain the same and time is of the essence. CARRIED.

21. **City of Hamilton Grading Policy for Single and Semi-Detached Dwellings Created Through Development Applications (PD02109) (City Wide) (Item 8.1)**

(a) That all existing policies adopted for the purpose of controlling grading of single and semi-detached lots created through development applications by the former municipalities, namely the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, Corporation of the City of Hamilton and City of Stoney Creek, be deleted in their entirety.

(b) That Appendix "A", attached to Report PD02109, respecting "Grading Control for Single and Semi-detached Dwelling Units Created through Development Applications" be approved as the new policy and standards for grading control of development applications regulated under the Planning Act in the City of Hamilton.

(c) That the proposed Grading Policy and standards for the City of Hamilton, marked as "Appendix A", attached to Report PD02109, apply to all single and semi-detached lots created through development applications, regulated under the Planning Act, where a Subdivision Agreement has not yet been executed as of the day of adoption of this policy.

(d) That the Director of Development, Planning and Development Department, be authorized and directed to amend the City of Hamilton Subdivision Agreement by including a clause to require an owner of lots, created through a plan of subdivision, to place a security deposit and an inspection fee with the Director of Building and Licensing, Planning and Development Department, as a condition of building permit approval, for the purpose of controlling final lot grading on single and semi-detached lots created by subdivision plan.

(e) That the Director of Building and Licensing be authorized and directed to charge a lot grading inspection fee of $153 and retain a security deposit of $1,000, as a condition of building permit approval, for each single and semi-detached lot created by registered subdivision plan, to ensure completion of final lot grading and to cover the cost of inspection by City Building staff.

CARRIED.

Councillor D. Braden indicated that he wished to be recorded as OPPOSED.

22. Consultation Framework and Process for Examination of Municipal Regulation of Pesticides on Private Property (SPH02005(a)) (Item 9.1)

(a) That a Pesticide Advisory Committee be established composed of 3 Councillors (Councillors McCarthy, Braden and one other member of Council), three industry representatives, three environmental representatives, and three community representatives with a view to achieving the most balanced possible composition and with appropriate support from Social and Public Health Services receiving consultation from other Departments as necessary, to explore the health, legal, financial and practical issues associated with a variety of policy options that could be used to reduce non-essential chemical pesticide use on private green space within the City, and report back to Council with a recommended approach by Spring 2003;

(b) That the following policy options be included among those to be considered:
  - (i) Development of an intensive education and social marketing campaign;
  - (ii) Encouragement of industry self-regulation through the voluntary Integrated Pest Management (IPM) accreditation process being initiated by the IPM Council of Ontario;
  - (iii) Adoption of a by-law that incorporates one or several of the following options:
    - (1) Sets clear rules about the signage and notification requirements that must precede and follow pesticide application on private property;
    - (2) Requires industry administered IPM accreditation of all companies applying pesticides on private green space within the City;
    - (3) Limits the frequency and/or timing of pesticide application;
    - (4) Specifies buffer zones around the properties of sensitive receptors (eg., schools, sensitive individuals) and waterways; and/or
    - (5) Prohibits pesticide use on private green space throughout the City with or without a phase-in period; and

(c) That when developing the approach to be taken, the Pesticides Advisory Committee:

  - (i) Further investigate the health, legal and cost implications associated with the policy options above;
  - (ii) Conduct five separate consultation meetings with business groups, community/environmental organizations, regulatory agencies, service agencies and the general public that may have a particular interest in the issue; and
  - (iii) Solicit the opinions of the broader public through e-mails, hot lines and other available communication means.
  - (iv) That Agriculture **be excluded** from the process which examines uses of pesticides. CARRIED AS AMENDED

23. Ontario Disability Support Program Delivery and Welfare Fraud Control Expenditures for 2002 (SPH02014) (City Wide) (Item 9.2)

(a) That Council correspond with the Minister of Community and Social Services indicating their objections to the Ontario Disability Support Program cost of administration increases and request:
  - i) a detailed breakdown of costs/cost allocation formulas

ii) a deferment of the costs until appropriate consultation and disclosure of the details are provided

iii) the Province explore other cost effective options for the program delivery of Ontario Disability Support Program and Welfare Fraud Control Delivery Program.

(b) That a copy of this report be distributed to the Association of Municipalities of Ontario (AMO) and the Ontario Municipal Social Services Association (OMSSA) for distribution to other Municipalities. CARRIED.

24. Permanent Food Safety Disclosure System for the City of Hamilton (SPH02003a) (City Wide) (Item 9.3)

That report SPH02003(a) which outlines the progress toward a comprehensive permanent food safety disclosure system and includes an update on the interim system and on the inspection compliance rates for 2001 and 2002 for high, medium and low risk food premises, be received as information. CARRIED.

25. Deletion of McNeilly Road from Truck Route System (TOE02094) (Ward 11) (Item 10.1)

(a) That McNeilly Road from Barton Street to South Service Road be removed from the City of Hamilton truck route system, and;

(b) That an appropriate By-law to amend City of Hamilton Traffic By-Law 01-215 be passed and enacted. CARRIED.

26. Licensing Committee Hearing - May 22, 2002 (11.1)

(a) Barry Humphry Enterprises Ltd. 735 Mud Street – Salvage Yard and Public Garage Licence (PD02104)(Ward 11) (Item 3.1.2)

That the renewal licences of a Salvage Yard and Public Garage (Auto Body Repair & Mechanical Repairs) for 735 Mud Street be issued with a new condition:

"That Barry Humphry Enterprises Limited comply with the requirements of Paragraph 4 of an Agreement dated December 22, 1988, between Barry Humphry Enterprises Limited and The Corporation of the City of Stoney Creek and Barry Humphry, and registered against title to the subject lands as Instrument No. 492274 CD on January 26, 1989."

(b) **Phillip Ryerson – Cab Driver Licence** (Item 3.1.3)

That the Taxi Cab Driver Licence application of Phillip Ryerson be granted subject to the following condition:

Submission of an updated criminal record to the Issuer of Licences in six months from the date of issuance of the licence.

(c) **Jatinder Gill – Cab Driver Licence** (Item 3.1.4)

That the Taxi Cab Driver Licence application of Jatinder Gill be granted subject to the following condition:

Submission of an updated driving abstract to the Issuer of Licences in six months from the date of issuance of the licence.

(d) **Renewal of Taxi Plates Report (PD02103) (City Wide) (Item 4.3)**

That the estate of Paul Vacsi be granted an extension to comply with Section 19 of the former City of Stoney Creek Public Vehicle Licensing By-law 4413-98 Section 19(1) and that the extension be no longer than 30 days after the passing of the new by-law licensing and regulating taxicabs in the City of Hamilton

(e) **Taxicab Priority List Annual Renewal for 2001 (PD02101) (Affects the former City of Hamilton and the former City of Stoney Creek)** (Item 4.4)

(i) That the Taxicab Priority List attached to Report PD02101 as Appendix "A", consisting of 137 names of individuals who have renewed their names on the Taxicab Priority List for the year 2001, in accordance with the Former City of Hamilton Licensing By-law 98-203, be approved,

(ii) That the Taxicab Priority List attached to Report PD02101 as Appendix "C", consisting of 14 names of individuals who have renewed their names on the Taxicab Priority List for the year 2001, in accordance with the Former City of Stoney Creek By-law 4413-96, be approved. CARRIED.

27. City Hall Accommodation Issues Report (CS02017(a)) City Wide and Ward 2)(Item 3.1)

(a) That the Hamilton City Hall Accommodation Issues Report, prepared by MHPM Project Managers Inc. dated May 2002 be received;

(b) That staff be directed to develop a terms of reference to issue an Expression of Interest (EOI) for accommodating City employees, (range of 1,000 to 1,200 employees), within the Downtown Core;

(c) That the EOI be the first stage of a two-stage process for receiving proposals for accommodating City employees within the downtown core;

(d) That Staff bring forward a draft of the EOI to a future Accommodations Subcommittee meeting within four weeks;

(e) That MHPM Project Managers Inc. be retained to assist staff in the preparation of the EOI and subsequent phases of the two stage process as outlined in recommendation "(iv)", including the analysis and evaluation of proposals. CARRIED.

28. City Hall Forecourt – Interim Landscape Enhancements (CS02028(a)) (City Wide and Ward 2)(Item 3.2)

(a) That Council endorse Option 1 of report CSO2028(a) as the preferred conceptual design for the interim landscape enhancements to the City Hall forecourt;

(b) That the funding source be $125,000 as identified in the 2002 Capital Budget Submissions (Project ID 3540241101);

(c) That an additional $8,000 be included in the Parks Division's base operating budget for 2003 for the maintenance of the interim landscape enhancements;

(d) That Staff continue discussions with the Cycling Championship Committee to minimize conflicts between the requirements of the start/finish line and the need to enhance the existing landscape

CARRIED.

Note: Option 1

Create soft landscape areas by replacing asphalt, concrete and unit pavers with sodded areas; create planting beds by filling the existing water fountains with topsoil and planting groundcovers, annual flowers and coniferous trees; replace 6 light fixtures with ones existing in City inventory; add one handicap access ramp from Main Street; add tree planting within the existing unit pavers (estimated cost: 125,000)

Councillor D. Braden indicated that he wished to be recorded as OPPOSED.

FOR THE INFORMATION OF COUNCIL:

a) DECLARATIONS OF INTEREST

None

b) ADOPTION OF MINUTES

2.1 May 21, 2002 (special)

2.2 May 28, 2002 (regular)

c) DELEGATION REQUESTS

3.1 Request to address the Hearings Sub-Committee from Mr. and Mrs. Haylock respecting conditions of a severance at 129 Chesley was approved for referral to Hearings Sub-Committee

d) The following item was deferred:

Hamilton Carnival Cultural Committee - Summer Festival - Sale of Alcohol, Admission & Parking Fee Approval - Bayfront Park - August 10 & 11, 2002 (CS02049) (Ward 2) (Item 4.2)

e) FCM Conference – Debriefing meeting

Committee requested that a formal debriefing be held with members of Council and staff who participated in the recently held FCM Conference for the purpose of conducting a formal evaluation/review and to discuss issues/concerns raised prior to other upcoming international/national events coming to our City.

Mayor Wade and other members of council extended appreciation to all the volunteers, including Police Services, for their efforts and hard work. Special thanks was bestowed on Councillor Russ Powers as Chair for his tireless efforts.

f) The following recommendations were referred to the Hearings Sub-Committee meeting scheduled for June 19, 2002 to receive public input:

Smart Growth Strategy to Deal with Urban Expansion Requests (PD020100/TOE02090) (Item 5.2)

(a) That the required studies for the agricultural, servicing and financial matters be completed to determine the appropriateness of expanding the urban boundary to include the non-urban lands east of Fruitland Road to Fifty Road and north of Highway No. 8 and that staff report back to Committee of the Whole by Spring 2003 on the outcome of those studies.

(b) That the lands directly north and south of the Airport Business Park be reviewed as part of the Industrial Business Park Study with a report back to the Committee of the Whole in the Fall of 2002.

(c) That all other requests for an Urban Boundary Expansion be referred to the Growth Related Integrated Development Strategy (GRIDS) Project.

(d) That requests for expansions to the Rural Settlement Areas (RSAs) and residential uses in areas designated "Rural" in the Official Plan (OP) be included as part of OP Rural Policy Review which is expected to commence in the Fall of 2002.

(e) That Report PD02100/TOE02090 be forwarded to the Hearings Sub-Committee for public input at its meeting of June 19, 2002.

g) Requests for staff reports

(i) Market Value Assessment

Staff were directed to report back to Committee of the Whole on a market value assessment of Piers 5 to 8

(ii) City of Hamilton Grading Policy Item

1. Storm drainage – percolation tests – staff to report back

2. Alternative forms of ground cover

h) The Mayor introduced and welcomed guests, Carol-Lee Eckhardt - Alderman from Grand Prairie and Michael Wiggin - Ministry of Natural Resources Canada.

The Meeting adjourned at 3:05 p.m.

Respectfully submitted,

R. Wade
Mayor

R. Caterini, Deputy Clerk
M. Gallagher, Co-odinator
June 4, 2002

SECTION 3

SECTION 4

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

4.1

COMMUNITY SERVICES
Parks Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Barry B. Coopersmith, General Manager
Date:	June 6, 2002	**Prepared by:**	Alan Dore ext. 4334

SUBJECT: Appointment of Weed Inspectors for the City of Hamilton (CS02052) (City Wide)

RECOMMENDATION:

(a) That Council enact the attached By-law to appoint Weed Inspectors for the City of Hamilton for 2002;

(b) That the City of Hamilton hereby repeal By-law 01-067.

Barry B. Coopersmith, General Manager
Community Services

EXECUTIVE SUMMARY:

The City of Hamilton, in accordance with the regulations of the Weed Control Act, R.S.O. 1990 Chapter W.5, must appoint Weed Inspectors by By-law to respond to complaints respecting the control of noxious weeds and enforce the regulations and requirements of the Act. This is an annual practice for the City.

BACKGROUND:

The recommendations/information contained within report CS02052 have City Wide implications.

Staff recommend that the City of Hamilton implement a Noxious Weed Control Program commencing on June 10th until September 15th of each year which will be administered through By-law Enforcement and the Parks Division of the Community Services Department. Also, that a fee of $100.00 per hour, per person be charged to the landowner, or both the landowner and the person in possession of the land, following failure to comply with an Order under the Act for the removal of noxious weeds from their property in the manner prescribed in the Act. The hourly rate is inclusive of all direct and indirect costs for this service. The charges will be levied against the property taxes.

The Ministry of Agriculture, Food and Rural Affairs (OMAFRA) requires the names of all Weed Inspectors appointed by the municipality on an annual basis.

ANALYSIS OF ALTERNATIVES:

City staff are presently trained in the identification and control of noxious weeds in accordance with the regulation of the Weed Control Act. Staff are in possession of pesticide licenses and as such are qualified to handle any problems that may arise.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are no staffing implications associated with this recommendation. This activity is absorbed by staff as an extended function of their existing duties.

POLICIES AFFECTING PROPOSAL:

There are no policies affected by this recommendation.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Parking and Enforcement Division of the Finance and Corporate Services Department, the Building and Licensing (Standards & Licensing) Division of the Planning and Development, and the Legal Department were consulted.

CITY STRATEGIC COMMITMENT:

The purpose of the Weed Control Act is to protect people and agriculture from the impact of noxious weeds. The control of noxious weeds has a positive impact on the protection of the health of people in the community and the protection and sustainability of agricultural lands.

THE CITY OF HAMILTON

BY-LAW NO. _____

BEING A BY-LAW TO APPOINT WEED INSPECTORS FOR THE CITY OF HAMILTON

Pursuant to the provision of Section 8(1) of the Weed Control Act, R.S.O. 1990, Chapter W.5, the Council of a Municipality may appoint one or more Municipal Weed Inspectors;

WHEREAS, it is deemed expedient to appoint Municipal Weed Inspectors

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That the following individuals be appointed as Weed Inspectors for the City of Hamilton:

   R. Duckworth
   J. Holmes
   D. Lester
   P. Celebre
   T. Propedo
   J. Moore
   S. Weaver
   S. Gilpin
   A. Carey
   B. Rowlinson
   D. Moxam
   A. Dore
   K. Edwards
   P. Christie
   B. Hughes
   R. Gatto
   S. Bailey
   P. Booker

2. That the Weed Inspectors shall carry out the provisions of the Weed Control Act and the regulations thereto;

3. And that the City's rate for weed cutting and program administration be charged at $100.00 per hour, per person in 2002 and this rate is to be reviewed annually;

4. And further, the following By-law is hereby repealed: By-law 01-067 (Hamilton).

PASSED and enacted the _________ day of _____ 2002

____
Mayor

____
City Clerk

AFFECTS
WARD 3

CITY OF HAMILTON

4.2

PLANNING AND DEVELOPMENT DEPARTMENT
Downtown Renewal Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	May 31, 2002	**Prepared by:**	Hazel Milsome
File:	1001-7		(905) 546-2755

SUBJECT: **Barton Village Business Improvement Area (B.I.A.) Revised Board of Management (PD02113) (Ward 3)**

RECOMMENDATION:

That the following individual be appointed to the Barton Village B.I.A.'s Board of Management:

Jim Sparham **The Pet Pantry, 314 Barton Street East**

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Appointment of a new member to the Barton Village B.I.A.'s Board of Management.

BACKGROUND:

The Barton Village B.I.A.'s Board of Management recently elected Jim Sparham to its Board of Management for the remainder of the 2001-2003 term of office.

The Barton Village B.I.A.'s constitution dictates that the Board of Management shall consist of a minimum of seven (7) members (not including the Ward Councillor). The appointment of the above individual brings the number of Board members to eight (8) (not including the Ward Councillor) therefore is in accordance with the Barton Village B.I.A.'s constitution.

ANALYSIS OF ALTERNATIVES:

Not applicable.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Not applicable.

Staffing – There are no staffing implications.

Legal – The Municipal Act, Section 220 governs B.I.A.s. Section (6) stipulates "A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by Council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals who are persons who are entitled to notice under subsection (2) or clause (2.1) (a) or who are nominated by such persons".

POLICIES AFFECTING PROPOSAL:

Not applicable.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Not applicable.

CITY STRATEGIC COMMITMENT:

The initiatives of B.I.A.s' help create an attractive business district that extends to the local residents through the creation of a safer, cleaner and more aesthetically attractive district with positive results on the quality of life of its residents. Healthy business districts support neighbourhoods and healthy neighbourhoods support business districts. Economic health and healthy communities are important strategic objectives of the City.

HM:hm RMM

cc: Keith Cody, Executive Director, Barton Village B.I.A.

AFFECTS
WARD 2

CITY OF HAMILTON

4.3

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	May 31, 2002 Core Heritage 2000	**Prepared by:**	Stephanie Barber (905) 643-1262 Ext. 204

SUBJECT: **Core Heritage 2000 Program: Approval of Grants for the Properties at 203 Main Street East and 130 King Street East (PD02108) (Ward 2)**

RECOMMENDATION:

(a) That a grant for façade improvements under the Core Heritage 2000 Program (File #50) in the amount of twenty-one thousand and one-hundred and fifty-eight dollars ($21,158) to Herb Wodehouse, registered owner of 203 Main Street East, Hamilton, be approved.

(b) That a grant for façade improvements under the Core Heritage 2000 Program (File #40) in the amount of thirty thousand and five hundred and thirty-five dollars ($30,535) to Old Colony Properties, Inc., registered owner of 130 King Street East, Hamilton, be approved.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

File #40 (130 King Street East) and File #50 (203 Main Street East) are two of thirteen Core Heritage 2000 Program applications that remain to be processed. Staff has evaluated these applications and are now recommending approval of grants based on lowest cost estimates.

BACKGROUND:

The Core Heritage 2000 Program is a former City of Hamilton matching grant program established in 1998 to assist the owners of downtown heritage buildings with the restoration and improvement of their street façades. The Program requires the proponent to match, dollar for dollar, the City's grant contribution for the costs of improvement.

The owners of the subject properties shown on Appendix A have applied under the terms of the above Program to undertake façade restoration and improvements. The proposed work has been revised by Heritage Planning staff, and found to be in accordance with the Program guidelines.

(a) File #40: 130 King Street East

Addition of new lighting fixtures, removal of awnings, cleaning and repair of three slate panels, cleaning of six concrete panels, stucco application to the columns only, addition of four banners, addition of three awnings and wrap around canopy for glass pyramid entrance.

(b) File #50: 203 Main Street East

Masonry repair to three walls, paint removal, staining and sealing of the front façade, installation of new windows, painting of woodwork, addition of two signs and six gooseneck light fixtures.

The former City of Hamilton Council approved an allocation of $400,000 in June 1998 for the Core Heritage 2000 Program on a "first come, first served basis". The Program was to be available only until December 2000. Final grants will be awarded this summer to accommodate construction during the 2002 building season.

ANALYSIS OF ALTERNATIVES:

The recommended grants for these two applications total $51,693. These applications are now ready to proceed and the required estimates have been submitted and evaluated by staff.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial - The former City of Hamilton Council approved an allocation of $400,000 in June 1998 for the Core Heritage 2000 Program on a "first come, first served basis". In September 2001 an additional $90,490 was transferred to the Program from the Community Heritage Loan Fund (PD01145(c)).

The account from which the grants would be paid from is HAMTN 58201-4249855043. The current uncommitted funds in this account total $92,685 and a balance of $40,992 would remain if the recommended grants were disbursed.

Staffing - Not applicable.

Legal - Not applicable.

POLICIES AFFECTING PROPOSAL:

Official Plan policies of the former City of Hamilton support the conservation, protection and management of cultural heritage features. Approval of these grants would support these policies.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

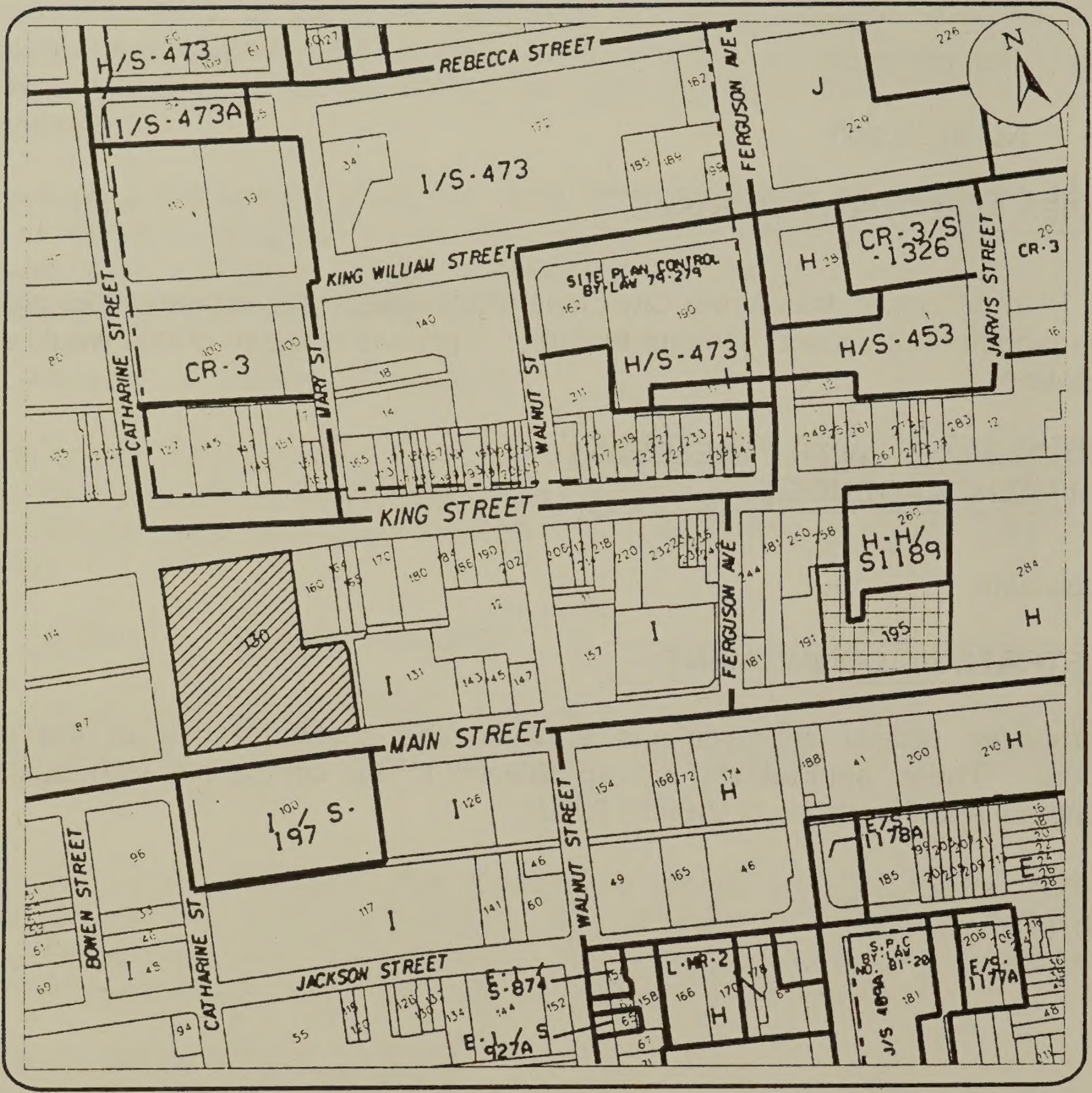
Not applicable.

CITY STRATEGIC COMMITMENT:

The proposed façade improvements enhance the continued use of the existing structures. These applications are considered to be compatible with sustainable development and the values of VISION 2020.

:SB
Attach. (1)

Appendix A to PD02108
To Committee of the Whole
June 18, 2002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BOWEN STREET
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SITE PLAN CONTROL BY-LAW 79-279
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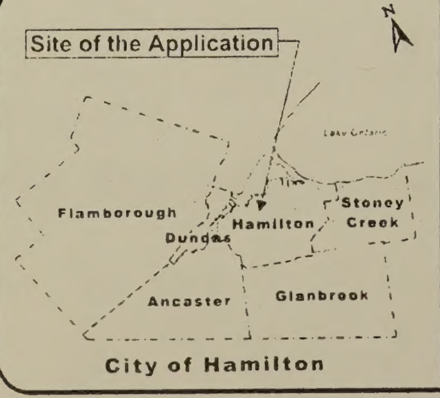
Site of the Application
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Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
130 King Street East
Recommended grant: $30.535

▦ **Subject Property**
203 Main Street East
Recommended grant: $21.158

Filename/number
203_Main_E

Date
May 14, 2002

Technician
CL

Map Not to Scale

Appendix "A"

CITY WIDE IMPLICATIONS

4.4

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	May 31, 2002 Y66.6	**Prepared by:**	Sonya Kapusin (905) 643-1262, Ext. 275

SUBJECT: 2001 Clean Air Hamilton Progress Report (PD01039(a)) (City Wide)

RECOMMENDATION:

That Report PD01039(a) regarding the *2001 Clean Air Hamilton Progress Report* be received.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Clean Air Hamilton is a community-based initiative committed to working with government partners, community stakeholders and the private sector in developing strategies to clean the air. *Clean Air Hamilton* is directed by Council to report annually on progress and advise on current air quality issues.

The *2001 Clean Air Hamilton Progress Report* describes annual progress in improving air quality in the City of Hamilton by summarising community initiatives, analyzing trends in air quality and recommending strategies for improvements to air quality:

- In 2001, *Clean Air Hamilton* sponsored or participated in research, emissions reduction projects and public awareness campaigns that were valued at nearly $500,000 (direct funding and in-kind contributions).

- Ongoing funding from Council is an integral part of *Clean Air Hamilton's* progress as it has become a resource that is substantially leveraged by support from other stakeholders.

- Current funding from Council supports efforts to make our City green by planting over 500 trees in Hamilton each year.

- The most notable improvements in Hamilton's air quality have been:

  (1) The Air Pollution Index (API) has not reached the advisory level of 32 at any of the API stations since June 1996. This means that requests for voluntary cutbacks by industries have not been necessary.
  (2) Benzene levels decreased in 1999 and 2000 by over 50% near industry. Benzo(a)pyrene levels decreased by about 50% in 1999 and 2000 near industry and downtown.

- Further significant improvements in air quality will require moving current structures of *Clean Air Hamilton* into a new phase that supplements voluntary commitments with committed funding from key stakeholders, including the City of Hamilton, local industry, academic institutions and various levels of government.

- In order to utilize its capability to facilitate partnerships in air quality, it is recommended that *Clean Air Hamilton*:

  (1) Develops a three year self-sustaining program and seeks funding for the proposed initiatives.
  (2) Facilitates discussions among industrial stakeholders as they deal with monitoring issues.
  (3) Continues to support research and adequately advise City Council on current air quality issues.

- *Clean Air Hamilton* is an example of success at the federal, provincial and municipal levels. *Clean Air Hamilton* is recognized internationally as a Best Practice in air quality improvement and a model way to implement the goals of VISION 2020. It has been referred to as a model in community proposals for similar Clean Air Campaigns in Toronto, Kitchener-Waterloo and Windsor.

- Citizens benefit the most from *Clean Air Hamilton* initiatives; by improving air quality we improve the quality of life for our residents and improve Hamilton's image.

BACKGROUND:

The former Regional Council endorsed *Clean Air Hamilton* in 1998, following the publication of a series of air quality reports entitled *The Hamilton-Wentworth Air Quality Initiative (HAQI).*

HAQI began in 1995 as a collaborative approach between all levels of government and the community at large to assess the social, environmental and economic impacts of air pollution in the City. The reports concluded with over twenty recommendations for community action on air quality, including suggestions for corporate and individual improvement strategies.

Clean Air Hamilton was formed to promote emission reduction strategies and support local air quality research in the community as suggested by the *HAQI* reports. The *2001 Clean Air Hamilton Progress Report* describes annual progress in improving air quality in the City of Hamilton by summarising community initiatives, analyzing trends in air quality and recommending strategies for improvements to air quality.

ANALYSIS OF ALTERNATIVES:

Council's strategic plan for a "healthy, safe and green City" defines the Clean Air Hamilton initiative

A major strategy of Council's strategic plan is to make investments in our health and environment and "commit to work with other government partners, community stakeholders and the private sector in the pursuit of strategies aimed at cleaning our air". Since 1995, *Clean Air Hamilton* has functioned as a consortium of stakeholders implementing action plans to promote air quality improvements in Hamilton, studying issues related to the environment and providing valuable advice to all levels of government.

Considerable effort was made in 2001 to plan the biennial *Upwind Downwind: A Practical Conference on Improving Air Quality* to be held in Hamilton on February 25 and 26, 2002. The event brings together over 200 delegates from communities across Southern Ontario and the Midwestern US to discuss practical solutions to air quality problems. A report on the success of the conference was submitted to Council in May, 2002.

The past 10 years have shown notable improvements in Hamilton's air quality

Trends in local ambient air quality are used to measure progress toward improving air quality in Hamilton. Hamilton's air quality has steadily improved over the past ten years. The most notable improvements being:

- The Air Pollution Index (API) has not reached the advisory level of 32 at any of the API stations since June 1996. This means that requests for voluntary cutbacks by industries have not been necessary. The API now rarely exceeds 20.

- Levels in toxics have gone down significantly in Hamilton's air throughout the 1990s. Benzene levels decreased in 1999 and 2000 by over 50% near industry. Benzo(a)pyrene levels decreased by about 50% in 1999 and 2000 near industry and downtown.

Further improvements are anticipated as the provincial government develops new initiatives that will implement reporting regulations, an industrial stack inspection program and industrial self-monitoring initiative.

Hamilton's next challenge will be to meet tough new standards for smog-producing emissions

The trends for particulate matter and ozone, which form smog, have levelled off considerably over the years. However, it will become a challenge to meet new and tougher Canada-wide standards for particulate matter and ozone.

Inhalable particulates have decreased by about 15 to 20% since 1991 in most of the City, whereas summer time ozone levels have been variable in the 1990s. High ozone levels experienced during summer months are due mostly to long-range transport from distant sources.

Partnerships are essential to facilitate co-operation among the various stakeholders in the City to meet, by law and voluntarily, the requirements of new programs and regulations announced by the provincial and federal governments.

Hamilton is a step ahead of any other city in the way that it has already established a partnership capable of facilitating new strategies of various groups to meet new regulations.

In order to continue with air quality improvements and utilize its capability to facilitate partnerships in air quality, it is recommended that *Clean Air Hamilton*:

- Develops a three year self-sustaining program and seeks funding for the proposed initiatives.
- Facilitates discussions among industrial stakeholders as they deal with monitoring issues.
- Continues to support research and adequately advise City Council on current air quality issues.

Continued support from the City of Hamilton will be key to driving a consistent and credible Clean Air strategy in Hamilton.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Clean Air Hamilton facilitates alternative service delivery and public-private partnerships in air quality

The City currently contributes $98,000 per year to municipal and community initiatives under the *Clean Air Hamilton* program, primarily in the areas of research, emission reduction strategies and public awareness campaigns. Approximately $50,000 per year is also contributed through in-kind services. This compares with an underestimated average of $400,000 per year contributed by outside organizations to community programs in partnership with the City. These additional resources include volunteer time, in-kind donations and sponsorship.

Progress in the work of Clean Air Hamilton depends upon the City's level of commitment to air quality

The City leads by example when coordinating the efforts of *Clean Air Hamilton* and the current support it offers upholds every effort to obtain additional funding from key stakeholders to implement as much of its improvement plan as possible.

Since 1995, partners have contributed over $1 million to the project, due to the influence of the City's ongoing commitment to administer and coordinate the program. Because of the available expertise and good will in Hamilton, over 80% of these contributions were provided in-kind when actual dollars were not an option.

At this time *Clean Air Hamilton* has drafted a plan to deal with projects that have exhausted current resources and require significant additional funding to move ahead. Potential funders include government and private sector associations. These partners show interest based on the understanding that the City will continue with its current contributions to the program.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The *Clean Air Hamilton Co-ordination Group* has reviewed the attached *2001 Clean Air Hamilton Progress Report.*

Staff of the Social and Public Health Services Department are members of the *Clean Air Hamilton Co-ordination Group.*

CITY STRATEGIC COMMITMENT:

Clean Air Hamilton is a Best Practice in air quality improvement and a model way to implement the goals of VISION 2020

Implementing a sustainable community is a key component of Council's strategic plan and *Clean Air Hamilton* is in a position to initiate goals and strategies of VISION 2020 that are meant to enhance quality of life.

The 1997 HAQI summary report determined that there are as many as 300 hospital admissions and at least 90 premature deaths attributable to poor air quality in Hamilton each year. Improving air quality will improve health by reducing illness that is exasperated by poor air, and improve the City's economic outlook by saving in the health care costs that are linked to the excess hospital admissions.

Clean Air Hamilton (formerly *Hamilton-Wentworth Air Quality Initiative*) was jointly selected with VISION 2020 as a *Best Practice in Improving the Living Environment* by the United Nations World Habitat. Internationally, nationally and provincially, Hamilton is considered a leader in municipal approaches to improve air quality.

:sk
Attach. (1)

CleanAir
HAMILTON

2001 Progress Report

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Executive Summary

- *Clean Air Hamilton* is a community initiative to improve air quality in the City of Hamilton and is directed by Council to report annually on progress and advise on current air quality issues.

- Citizens benefit from *Clean Air Hamilton* initiatives; by improving air quality we improve the quality of life for our residents and improve Hamilton's image.

- *Clean Air Hamilton* is an example for other municipalities, as a positive result of the support that it gets from the City of Hamilton. Several inquiries have been received from City Officials in Toronto, Kitchener-Waterloo and Windsor.

- *Clean Air Hamilton* is an example of success at the federal, provincial and municipal levels, and as a result attracts a lot of in-kind and financial support. Funding from Council is an integral part of Clean Air Hamilton's progress as it is substantially leveraged by support from other stakeholders. The current funding attracts additional donations, which may not otherwise have been committed to this initiative.

- In 2001 *Clean Air Hamilton* sponsored or participated in research, emissions reduction projects and public awareness campaigns that were valued at nearly $500,000 (direct funding and in-kind contributions).

- *Clean Air Hamilton*'s community process in local air quality improvement earned the City of Hamilton the prestigious United Nations for Human Settlements award, *The 2000 Dubai International Award for Best Practices in Improving the Living Environment.*

- Significant improvements in air quality will require moving current structures of *Clean Air Hamilton* into a new phase that supplements voluntary commitments with committed funding from key stakeholders, including the City of Hamilton, local industry, academic institutions and various levels of government.

- The most notable improvements in Hamilton's air quality have been

  (1) The Air Pollution Index (API) has not reached the advisory level of 32 at any of the API stations since June 1996. This means that requests for voluntary cutbacks by industries have not been necessary. The API now rarely exceeds 20.

  (2) Levels in toxics have gone down significantly in Hamilton's air throughout the 1990s. Benzene levels decreased in 1999 and 2000 by over 50% near industry. Benzo(a)pyrene levels decreased by about 50% in 1999 and 2000 near industry and downtown.

- In order to utilize its capability to facilitate partnerships in air quality, it is recommended that *Clean Air Hamilton*:

  (1) Develops a three year self-sustaining program and seeks funding for the proposed initiatives.
  (2) Facilitates discussions among industrial stakeholders as they deal with monitoring issues (report on this issue will be forwarded to Council).
  (3) Continues to support research and adequately advise City Council on current air quality issues.

1.0 Introduction

Clean Air Hamilton presents the 2001 Progress Report on Air Quality to City Council.

This report describes annual progress in improving air quality in the City of Hamilton by summarizing community initiatives, analyzing trends in air quality and recommending strategies for improvements to air quality.

Clean Air Hamilton is a community initiative to improve air quality in the City of Hamilton and is directed by Council to report annually on progress and advise on current air quality issues. The plan is prepared and implemented by a community-based team, referred to as the *Clean Air Hamilton* committee.

1.1 Background

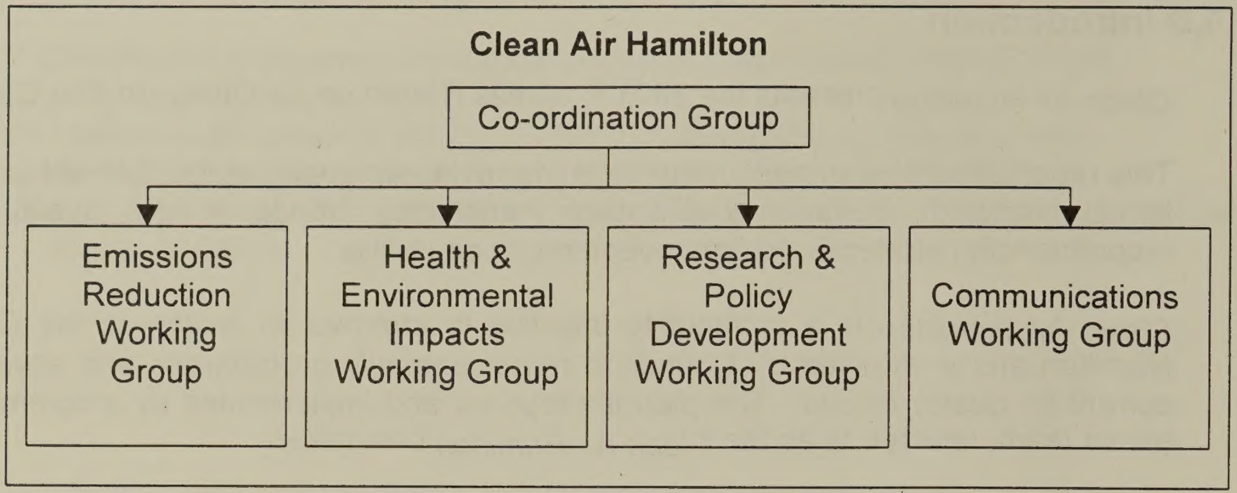
The former Regional Council endorsed *Clean Air Hamilton* in 1998, following the publication of a series of air quality reports entitled *The Hamilton-Wentworth Air Quality Initiative (HAQI).*

HAQI began in 1995 as a collaborative approach between all levels of government and the community at large to assess the social, environmental and economic impacts of air pollution in the City. The reports concluded with over twenty recommendations for community action on air quality, including suggestions for corporate and individual improvement strategies.

Clean Air Hamilton was formed to promote emission reduction strategies and support local air quality research as suggested by the *HAQI* reports. Council's directives to the committee are outlined in Section 3.0.

There are approximately 40 active members on the *Clean Air Hamilton* team, mainly from government, academic institutions, industry, environmental firms, and non-profit organizations. Most members participate in one of five working groups and the groups' activities are coordinated by a Co-ordination Group, as outlined in Figure 1.

Figure 1: Clean Air Hamilton Committee


Clean Air Hamilton
Co-ordination Group
Emissions Reduction Working Group
Health & Environmental Impacts Working Group
Research & Policy Development Working Group
Communications Working Group

This community initiative in local air quality improvement has earned the City of Hamilton the prestigious United Nations for Human Settlements award, *The 2000 Dubai International Award for Best Practices in Improving the Living Environment*.

1.2 Current Profile

Clean Air Hamilton activities have been a leader in Canada, relative to all provincial and municipal analyses of air quality impacts on human activities, to improve the air quality and the level of community involvement in air quality issues.

Clean Air Hamilton is an example for other municipalities, as a positive result of the support that it gets from the City of Hamilton. It has been referred to as a model in Toronto's proposal for a Clean Air Council, and several inquiries have been received from City Officials in Kitchener-Waterloo and Windsor.

The citizens of Hamilton benefit the most from the support of *Clean Air Hamilton*. An improvement in air quality leads to an improvement in the quality of life for residents, while improving Hamilton's overall image.

2.0 Program Funding

Clean Air Hamilton is an example of success at the federal, provincial and municipal levels, and as a result attracts a lot of in-kind and financial support. Funding from Council is an integral part of Clean Air Hamilton's progress as it is substantially leveraged by support from other stakeholders. The current funding attracts additional donations, which may not otherwise have been committed to this initiative.

2.2 Current Programs

Hamilton's air quality "partnership" is aided and advanced through substantial volunteer commitments, which has jump started a number of projects to improve air quality; however, these projects as they are identified in Section 3.0 and Appendix A have exhausted current resources and require significant additional funding to move ahead.

In 2001, *Clean Air Hamilton* sponsored or participated in research, emission reduction projects and public awareness campaigns that were valued at nearly $500,000. The City of Hamilton generated approximately 20% of the total value including staff and finance, and the remaining 80% were supported by outside organizations through sponsorship and in-kind contributions.

The City currently contributes $98,000 per year to municipal initiatives under the *Clean Air Hamilton* program compared with $400,000 on average per year contributed by outside organizations to community programs in partnership with the City (nearly $500,000 total).

2.3 New Programs

Significant improvements in air quality will require moving current activities of *Clean Air Hamilton* into a new phase that supplements voluntary commitments with committed funding from key stakeholders, including the City of Hamilton, local industry, academic institutions and other levels of government.

The City of Hamilton has been a leader in facilitating the efforts of Clean Air Hamilton to date. Any decision on behalf of the City regarding an adjustment to its current contributions would greatly influence the decisions of outside organizations to match funding for projects that are critical to making tangible improvements in Hamilton's air quality.

3.0 Project Status

The *Clean Air Hamilton Action Plan* summarizes the range of projects that are based on recent activities that build upon the 1997 *HAQI* recommendations. This section summarizes the projects that continue the actions encompassed in the 1998 Council directives.

a) Strategies to reduce the number of single-occupancy auto trips

Commuter Challenge

Clean Air Hamilton provided partial funding to support Green Venture's efforts in coordinating the Hamilton Commuter Challenge during the first week of June, 2001. The challenge is a friendly competition between local organizations to see who can get the most employees to leave their car behind and, walk, bike, take pubic transit or carpool to work. Over 50 organizations participated in 2001 compared with over 40 in 2000. Participants kept 35 tons of pollutants out of the air and Hamilton placed 7th per capita in the national standing. The next Commuter Challenge will be takes place June 2-8, 2002.

b) Greening of Fleets

Normal Use Vehicle (Nuvehicle) Partnership

The Ontario Ministry of Environment (MOE) completed an evaluation of the hybrid vehicles purchased in 2000 by the City of Hamilton, MOE, and Hamilton Hydro. Altogether the three participating organizations purchased three Honda Insight vehicles and one Toyota Prius vehicle. The Nuvehicle project was first proposed by Clean Air Hamilton in July 1998 to introduce innovative and environmentally beneficial vehicles to the City.

The study showed that hybrid vehicles are three times more fuel efficient than existing gasoline vehicles. They are also cost competitive, reliable and approximately 80-90% less polluting. Hybrid vehicles are currently the most practical solution to reducing vehicle related air pollution, fossil fuel consumption, and global warming.

Given these benefits, the City of Hamilton has purchased 10 hybrid vehicles in their fleet in 2002.

d) Reduction of Transboundary Air Pollution

Upwind Downwind: A Practical Conference on Improving Air Quality

Throughout the 2001 calendar year, plans were developed for the second *Upwind Downwind* Conference to be held on February 25 and 26, 2002, at the Sheraton Hotel. *Upwind Downwind* is held biennially on behalf of *Clean Air Hamilton* as a strategy to address transboundary air pollution issues and maintain contact with other communities pursuing similar initiatives. The conference, a very successful event, will be reported as an activity in the 2002 Progress Report.

Plans for the *Upwind Downwind* Conference took precedence over workshops for the ***Southern Ontario Clean Airshed Network Initiative (SO CAN I)***, a group of representatives from 11 communities from across Southern Ontario. Reference and information exchange on air issues took place on an email distribution list and website. Many members of the SO CAN I group registered and participated in the conference.

Response to Ontario Power Generation Proposal to Reduce NOx Emissions

In 2001 the Ontario Clean Air Alliance approached the City of Hamilton to join a call for a public environmental assessment to review the Ontario Power Generation's proposal to install selective catalytic reduction (SCR) units at its Naticoke and Lambton coal-fired power plants. Council referred the matter to *Clean Air Hamilton* for comment. Members of the Coordination Group prepared a response to assist Council in its decision on the issue by highlighting the advantages and disadvantages to the proposal and the implications of an assessment.

e) Development and/or enhancement of tree projects

Over 500 native trees were planted in the City of Hamilton through funding partnerships with two local non-profit groups under the *Clean Air Hamilton* Program.

Homeowner Tree Subsidy Program

The City of Hamilton subsidized half the cost of native trees offered to homeowners across the City. Hamilton-Wentworth Green Venture promoted and administered the program in partnership with Trees for Life Canada and the local separate school board. A total of 550 trees were planted in the fall through this program.

VISION 2020 Award Tree Planting

Fifteen (15) trees were planted in the fall along the trail at TB McQueston Park on behalf of the award recipients in the VISION 2020 Sustainable Community Recognition Program.

f) Development of a Community Smog Plan

Corporate Smog Response Plan

The City of Hamilton reassessed its corporate-wide Smog Response Plan. Revisions were made to the former Regional policy to create a new response procedure for new staff and departments of the new City of Hamilton. Each department implements an action plan that will minimize smog-producing emissions when the Ministry of Environment issues a local smog advisory. Hamilton experienced 12 days in 2001 when the air quality index exceeded 50 and conditions called for a smog advisory. As smog formation intensifies with heat and light, smog levels were higher than average in 2001 partly due to unusually hot and dry summer weather.

Anti-idling Campaign

The City of Hamilton and the Hamilton Industrial Environmental Association are sponsoring an anti-idling educational campaign to encourage drivers to turn their engines off when waiting for an extended period of time.

The City began an internal campaign by first educating staff on the impacts of idling on health and air quality, and the benefits of reducing idling time. A presentation series was developed and 10 Powerpoint presentations were given to Departmental Management Teams.

Signage was prepared and municipal locations were selected for posting anti-idling signs. The Fleet Department began drafting a corporate anti-idling policy in 2001.

g) Promotion of Public Awareness through Social Marketing

Annual Public Meeting

A public meeting on air quality was held in November 2001 with over 80 guests attending on behalf of *Clean Air Hamilton* and the general public. The meeting featured guest speaker Dr. Trevor Hancock on Healthy Transportation Policy and received public input on *Clean Air Hamilton's* three-year work plan proposal.

Clean Air Hamilton Communications

Clean Air Hamilton is the new name of the *Hamilton-Wentworth Air Quality Initiative* and its implementation committee. The name was launched in 2001 along with a new logo designed by Palmese Photo Design (in-kind contribution for design of logo).

A bimonthly *Clean Air Hamilton* Electronic Newsletter was introduced in 2001 to keep members informed of local air quality initiatives.

A new communications plan and website at www.airquality.hamilton.on.ca was designed in 2001 for the *Clean Air Hamilton* program.

Clean Air Awards

Clean Air Hamilton launched a new "clean air" category in the VISION 2020 Sustainable Community Recognition Awards Program hosted by ACTION 2020. Two recipients were selected out of six nominations under the clean air category.

Two awards were presented. One award was given to Anne Turner of VFT Inc. for her outstanding contributions during the 2001 commuter challenge and the other award to Dofasco for their benzene emissions control program.

Dubai Award Reception

A reception was held in March, 2001, to celebrate the *Dubai International Award for Best Practices in Improving the Living Environment* that was granted to the Region in 2000 for its work on VISION 2020 and the *Hamilton-Wentworth Air Quality Initiative*. The reception honored all of the participants in *the Clean Air Hamilton* and VISION 2020 initiatives for their outstanding contributions and ongoing support over the past ten years. Over 300 people attended the reception to hear special speeches given by the Deputy Mayor, the Honorable Minster Witmer, a representative from the United Nations, and chairpersons of the *Clean Air Hamilton* and ACTION 2020 community groups.

h) Land Use / Transportation Issues and Planning

VISION 2020 Action Plan

Clean Air Hamilton prepared a two-year action plan to improve the progress of air quality indicators in VISION 2020, Hamilton's Sustainable Community Initiative. The action plan was presented for public input at a community workshop hosted by ACTION 2020 in November 2001.

Funding Proposal

A work plan proposal of research and activities designed to make tangible improvements to Hamilton's air quality was drafted in 2001. Funding is proposed for three years, and is designed to establish a *Clean Air Hamilton* office and support projects that implement actions to reduce emissions, research to assist with policy development, and promotion to share best practices with communities across Canada and the world. This proposal will be directed to a range of agencies, which have the best matches to the goals of individual *Clean Air Hamilton* projects.

4.0 Progress Indicators

Trends in local ambient air quality are used to measure progress toward improving air quality in Hamilton. The 2000 Progress Report included a section on trends in ambient pollutant levels over the past decade (1990 – 1999). An update of this data to 2000 is included in Appendix B. The results are consistent with a stable to reducing trend in Hamilton's pollutant levels.

The pollutants were selected from the 1997 HAQI study in which they are identified as the most harmful factors affecting human health and the environment. The air quality data is tracked, monitored and analyzed by the Ontario Ministry of Environment, West Central Region (MOE).

4.1 Notable Improvements

The Air Pollution Index (API) has not reached the advisory level of 32 at any of the API stations since June 1996. This means that requests for voluntary cutbacks by industries have not been necessary. The API now rarely exceeds 20.

Levels in toxics have gone down significantly in Hamilton's air throughout the 1990s. Two of Hamiltons's common toxics are Benzene and Benzo(a)pyrene. Benzene levels decreased in 1999 and 2000 by over 50% near industry. Benzo(a)pyrene levels decreased by about 50% in 1999 and 2000 near industry and downtown.

The outlook is positive for further improvements in air quality as the provincial government develops new initiatives that will implement reporting regulations, an industrial stack inspection program and industrial self monitoring initiative.

4.2 Further Improvements

The trends for particulate matter and ozone, which form smog, have leveled off considerably over the years. However, it will become a challenge to meet new Canada-wide standards for particulate matter and ozone.

Inhalable particulates have decreased by about 15 to 20% since 1991 in most of the City, whereas summer time ozone levels have been variable in the 1990s. High ozone experienced in summer months are due mostly to long-range transport from distant sources.

5.0 Recommendations

Partnerships are essential to facilitate cooperation among the various stakeholders in the City to meet, by law and voluntarily, the requirements of new programs and regulations announced by the provincial and federal governments.

Hamilton is a step ahead of any other city in the way that it has already established a partnership capable of facilitating new strategies of various groups to meet new regulations.

In order to continue with air quality improvements and utilize its capability to facilitate partnerships in air quality, it is recommended that *Clean Air Hamilton*:

- Develops a three year self-sustaining program and seeks funding for the proposed initiatives.
- Facilitates discussions among industrial stakeholders as they deal with monitoring issues.

- Continues to support research and adequately advise City Council on current air quality issues and health impacts.

In order for *Clean Air Hamilton* to leverage off the existing success that it has retained, it is recommended that the City of Hamilton continue to support and coordinate the activities of the *Clean Air Hamilton* committee.

Appendix A – Clean Air Hamilton Action Plan

Recommendations	**Responsibility** **CAH**	 **Other**	**Progress to Date**	**Short Term Plans (1 year)**	**Long Term Plans (5 years)**
Reduce Industrial Sources					
Implement Code of Best Practice Guidelines {HAQI Recommendation 1}					
Develop Best Available Control Technology and Practices for Major Sources {HAQI Recommendation 2}	ERWG	MOE Industries	• Developed website registry for companies and their fine particulate reduction projects	• Promote and utilize emissions reduction registry	• Reward companies for the air pollution reduction projects through a series of local Clean Air Awards
Implement Strategic Options Process (SOP) Recommendations {HAQI Recommendation 3}	ERWG	EnvCan MOE Stelco Dofasco VFT. Ltd. Columbian Chemicals Other Industries	• A review on the effectiveness of the SOP was planned for 1999		• Monitor progress on implementation
Continue Permitting Programs {HAQI Recommendation 4}	ERWG	MOE Dofasco Stelco	• Stelco with commitment to meet the terms of the Strategic Options Process or better, plans to refurbish or shut down coke oven with high emissions • Voluntary Agreement with Dofasco		• As the MOE continues to develop and enforce air quality/source performance standards, the team will comment on the programs as required.
Establish Industry-Local Resident	CG ERWG	HIEA	• The Hamilton Industrial Environmental Association (HIEA)		• Communications will be ongoing between the Air

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
Liaison Committee {HAQI Recommendation 5}	RPDWG HEIWG CWG		has established a Community Advisory Panel, the Air Quality Stakeholder Committee with three industrial representatives		quality Stakeholder Committee and Clean Air Hamilton
Reduce Emissions from Private Vehicles					
Reduce the Number of Single-Occupancy Auto Trips • Enhance HSR Bus Services • Design Accessible Urban Development • Promote Cycling • Promote Walking • Discourage Parking Downtown {HAQI Recommendation 6}	ERWG	Green Venture City of Hamilton EnvCan HIEA	• Staff Transportation Alternatives Plan presented to Council, referred to City with recommendation for joint action. City Council has referred it to staff for a report – currently on hold • Free Regional staff parking ended as benefit on grandfathered basis • Hamilton Community Challenge successful in June 2000 and 2001 • HSR Campaign to show transit use a “green” alternative to the private automobile, especially during Smog Alert Days • Travel Options Workshop hosted by the City in 2000 for local organizations • City of Hamilton Bikeways System – Waterfront Trail	• Commuter Challenge in Spring 2002	• Support for Commuter Challenge to continue each year
Minimize the Emissions of Private Vehicle Use • Promote Carpooling • Offer Discounts on Vehicle Tune-Ups • Minimize Discretionary Trips {HAQI Recommendation 7}	ERWG	City of Hamilton Green Venture	• Hamilton-Wentworth Community Challenge successful in June 2000 and 2001	• Staff Carpooling Registry at the new City of Hamilton	

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
Establish Standards for Vehicle Emissions and Implement Vehicle Emissions Testing {HAQI Recommendation 8}	ERWG	MOE Drive Clean Office EnvCan	• Ongoing support to the Ontario Drive Clean program, implemented in Hamilton in 1999 • Ongoing support to the Drive Clean pilot program for heavy duty vehicles introduced in 1999 • Ongoing support to the fuel economy tax • MOE Smog Rover monitors tailpipe emissions of cars and light duty trucks in the Greater Toronto and Hamilton-Wentworth area.		
Anti-idling By-Laws {HAQI Recommendation 9}	RPDWG ERWG CWG	City of Hamilton	• Anti-idling By-law drafted and on hold • Anti-idling signage designed for railway crossings and industrial properties • Research and Educational Packages for anti-idling campaign complete		• Expand anti-idling signage campaign
Reduce Emissions from Commercial/Fleet Vehicles					
Enact Commercial Vehicle Maintenance Standards {HAQI Recommendation 10}					
Achieve more Efficient Commercial Vehicle Flow {HAQI Recommendation 11}					

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
Greening of Fleets • Schedule Off Peak Trucking Shipments • Replace Old Trucks • Alter Fleet Technology • Specify Trucks that meet Standards in Purchase Contracts • Switch to Rail {HAQI Recommendation 12}	ERWG	City of Hamilton MOE EnvCan Hamilton Hydro	• Workshop was held in 1999 with 13 fleet managers in attendance, where a commitment to further meetings and information sharing was made • Literature review initiative, focused on greening, strategies of other fleet replacement alternatives for retired vehicles • NuVehicle considerations ongoing: MOE, City of Hamilton, and Hamilton Hydro have altogether purchased three Honda Insight hybrid vehicles and one Toyota Prius in 2000. • Evaluation of local hybrid vehicle performance complete	• City of Hamilton to replace 10 fleet vehicles with hybrid vehicles.	• Partners will purchase additional hybrid vehicles as they become available, and as they are evaluated
Reduce Overall Community Emissions					
Control Fugitive Dust • Establish Paving Bylaws • Establish Fugitive Dust Control Bylaws • Establish Operating Standards for Trucks • Use Best Available Control Technology {HAQI Recommendation 13}	RPDWG ERWG	City of Hamilton	• Street Sweeping Study is complete. Enhanced street sweeping and monitoring in the north end to continue until December 2000 (on hold).		
Reduce Transboundary Pollution	HEIWG	City of Hamilton	• Upwind Downwind: A Practical Conference on Improving Air Quality was held on September 30	• Next Upwind Downwind ConferenceFeburary, 2002.	• Air Quality Conference to address transboundary air pollution to be held

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
{HAQI Recommendation 14}		SO CAN I members	and October 1, 1999 • Southern Ontario Clean Airshed Network Initiative (SO CAN I) was established in January 2000	• City of Hamilton to chair SO CAN I in 2002	biennially
Develop and Implement Energy Conservation Measures • Municipal Energy Reduction Programs • Industrial Energy Reduction Programs • Alternative Energy Pilot Program • Subsidies for Energy Audits • District Heating and Co-generation {HAQI Recommendation 15}	RPDWG	City of Hamilton Green Venture	• City to promote Energuide program in buildings approval process • District Energy Project • Energy Management Program • City a Member of Partners for Climate Protection Campaign; developing action plan to reduce energy consumption		• City to develop and implement energy reduction action plan to reduce greenhouse gas emissions and air pollutants
Develop and/or Enhance Community Tree Projects {Regional Council 1999}	ERWG	City of Hamilton Green Venture HIEA	• The City of Hamilton Tree Planting Program supported partnerships with non-profit groups to plant trees on school grounds and near industries • Green Venture, in partnership with the City and HIEA, offers subsidized trees to residents in new homes and in the industrial north end of Hamilton • HIEA, in consultation with the citizens, are devoting $50,000 to tree planting in the north end of	• Review, evaluate and continue tree planting programs underway	

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
			Hamilton on industrial sites • Trees planted on behalf of VISION 2020 award recipiente		
Develop a Community Smog Plan {Regional Council 1998}	ERWG CWG	City of Hamilton Green Venture	• Provincial Anti-Smog Action Plan • City of Hamilton Corporate Smog Response Plan • Community Anti-Smog Campaign	• City of Hamilton Long Term Smog Reduction Plan • Corporate Smog Plan Policies at two local organizations	• City of Hamilton Smog Management Plan • Corporate Smog Plan Policies at five local organizations
Public Awareness					
Promote Public Awareness through Social Marketing • Videos • Pamphlets • Updates in Print Media • Combine with High Profile Municipal Initiatives • Website {HAQI Recommendation 16}	ERWG HEIWG RPDWG CWG	City of Hamilton Green Venture	• Research results are publicized and explained through verbal presentations and visual displays • Reports are linked to the Clean Air Hamilton website • Smog brochures, fact sheets and posters produced for the City's Corporate Smog Response Plan • Promotional materials produced by Green Venture and the City of annual Commuter Challenge • ERWG Work Plan has been incorporated into the Clean Air Hamilton website (www.airquality.hamilton.on.ca) • Received 2000 Dubai International Award for Best Practices in Improving the Living Environment • Logo designed, Webiste revamped and electronic newsletter prepared in 2001	• Promote results of research • Finalize communications plan and prepare public information kit	• Continue promotion of research and developed policies • Activities to be incorporated into a Clean Air Hamilton newsletter and video
Monitoring, Research and Development					
Expand Capability for Inhalable/Respirable Particulate	HEIWG	MOE	• MOE maintains monitoring network in Hamilton		• Facilitate a partnerhsip in industrial self monitoring.

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
Monitoring {HAQI Recommendation 17}					
Maintain Current Monitoring System {HAQI Recommendation 18}	HEIWG	MOE	• Provincial monitoring network in Hamilton		
Expand Mobile/Portable Monitoring Capabilities {HAQI Recommendation 19}	HEIWG	MOE	• MOE looking for partners to strengthen the monitoring network. • MOE has enhanced the telemetry network		
Maintain Government Scientific/Laboratory Capabilities {HAQI Recommendation 20}	HEIWG	MOE	• MOE has requested lab allocations for air quality in 2000 • MOE is working on a self monitoring program for industry		
Research about the Origins, Characteristics and Health Impacts of Particulates {HAQI Recommendation 21}	HEIWG RPDWG	McMaster University City of Hamilton	• Discussion with McMaster University to create a research chair in Air Quality has begun • Canada-Wide Standards Sub-Agreement committees to the development of national standards for ozone and fine particulate. The process for developing the standards is on target.		
Analyze and Model Transportation Emissions {HAQI Recommendation 22}	RPDWG	EnvCan City of Hamilton McMaster	• Truck Emissions Modeling complete • Support reductions in sulphur content of fuels and diesel fuel regulations	• Conduct a truck industry survey to determine truck travel patterns and come up with policy recommendations for reducing transportation	• Implement policy recommendations from the Truck Emissions Modeling project

Recommendations	Responsibility		Progress to Date	Short Term Plans (1 year)	Long Term Plans (5 years)
	CAH	Other			
		University		emissions	
Research on the Impact of Air Toxics on Ecosystems {HAQI Recommendation 23}	RPDWG	City of Hamilton McMaster University	• Research on the impacts of air toxins ongoing at McMaster University	• Chemical Analysis of pollutants to be completed	
Develop an Emissions Inventory and Carry out Atmospheric Modeling {HAQI Recommendation 24}	ERWG RPDWG	RWDI Ltd. MOE	• MOE is establishing a mandatory emissions reporting program • ERWG is following the stages of mandatory reporting • Hamilton data sets can eventually be extracted for RWDI airshed modeling		
Review and Continued Refining of Environmental Priorities {HAQI Recommendation 25}	HEIWG	City of Hamilton McMaster University McMaster Institute of Environment and Health	• 1997 Air Quality Initiative used to identify priority pollutants, sources and management strategies. • Protocol development for Human Health Risk Assessment underway		• Environmental Priorities will be introduced through the results of the Health Assessment
Land Use/Transportation Air Quality Issues {HAQI Recommendation 26}	ERWG	City of Hamilton	• Initial issues identified for City wide planning and case studies addressed • electronic database established on land use/transportation/air quality references • ACTION 2020 Task Force on Air Quality; development of action plan to improve air quality indicators	• monitor secondary planning studies and development of City official plan and provide comments where appropriate	• monitor secondary planning studies and development of City official plan and provide comments where appropriate • full implementation of Task Force on Air Quality Action Plan

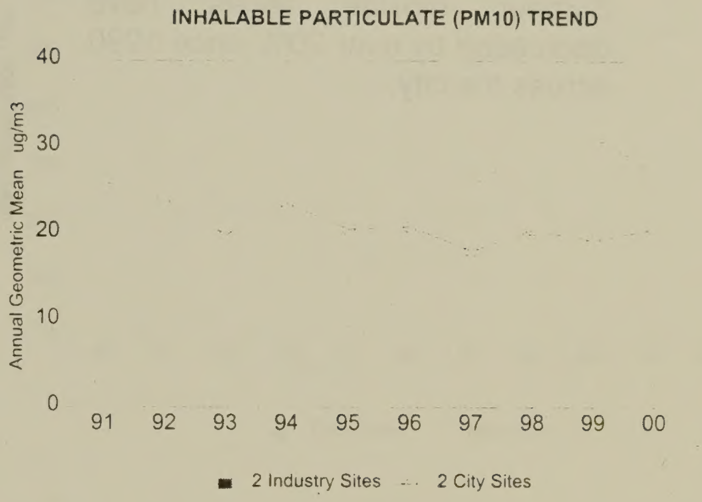
Keynote:
HAQI – Hamilton-Wentworth Air Quality InitiativeCG – Co-ordination Group
ERWG – Emissions Reduction Working Group
RPDWG – Research and Policy Development Working Group
MOE – Ontario Ministry of the Environment
Mac – McMaster University
SO CAN I – Southern Ontario Clean Airshed Network Initiative
HEIWG – Health and Environmental Impacts Working Group
CWG – Communications Working Group
EnvCan – Environment Canada
HIEA – Hamilton Industrial Environmental Association
CAH – Clean Air Hamilton

Appendix B: Progress Indicators

(2001 data to be available in 2002)

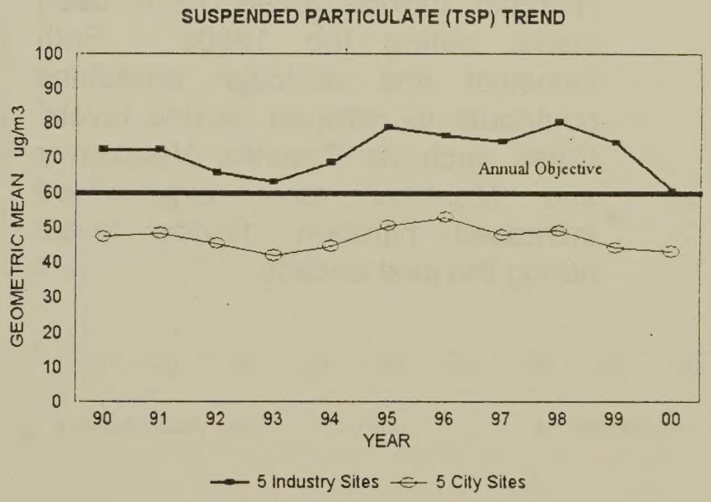
Inhalable Particulate Material (PM10)

Inhalable particulate material (PM_{10}) levels have decreased by about 15-20% since 1991 in most of the City. Close to the heavy industry, levels have also decreased by about 10% since 1991, but show greater variability from year to year.



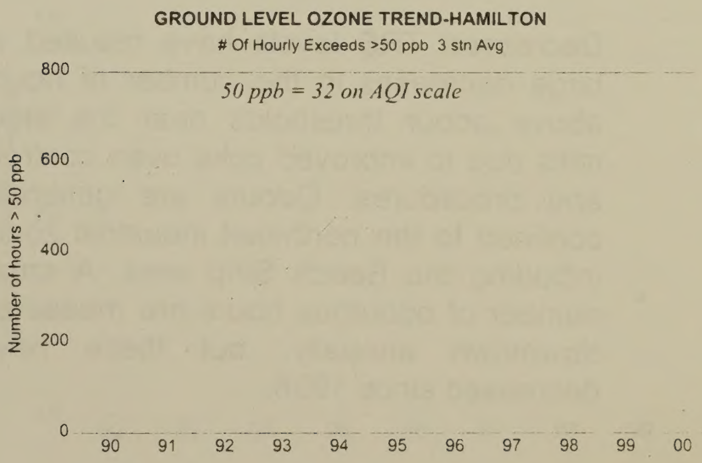
Total Suspended Particulates

Total suspended particulates (TSP) have decreased by 10-15 % since 1990, throughout the City. Levels in the industrial zone are now only fractionally above the annual MOE objective on average.



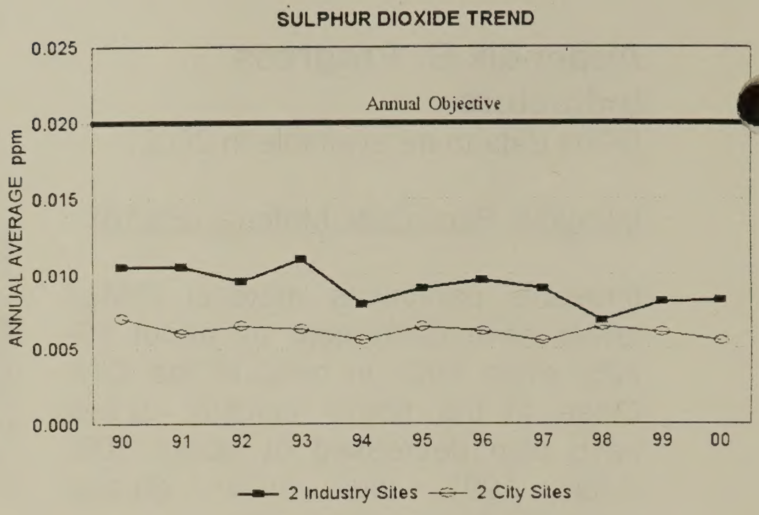
Ozone

Summertime ozone levels (associated with smog) are due mostly to long-range transport from distant sources. It has been variable in the 1990s. Most annual fluctuations are related to summer climate.



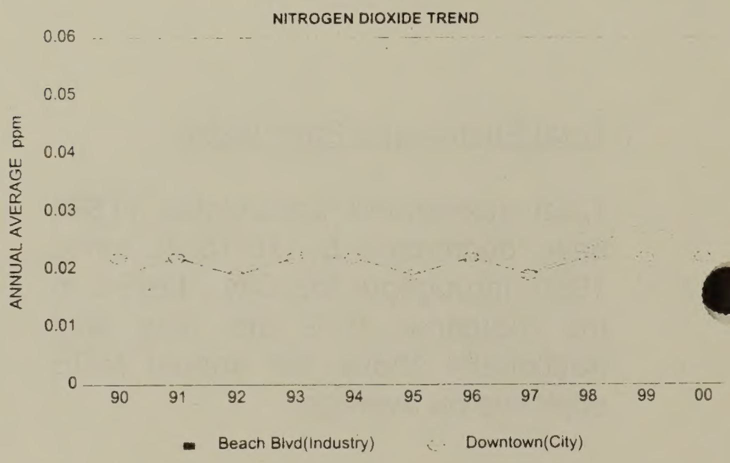
Sulphur Dioxide

Sulphur dioxide levels have decreased by over 20% since 1990 across the city.



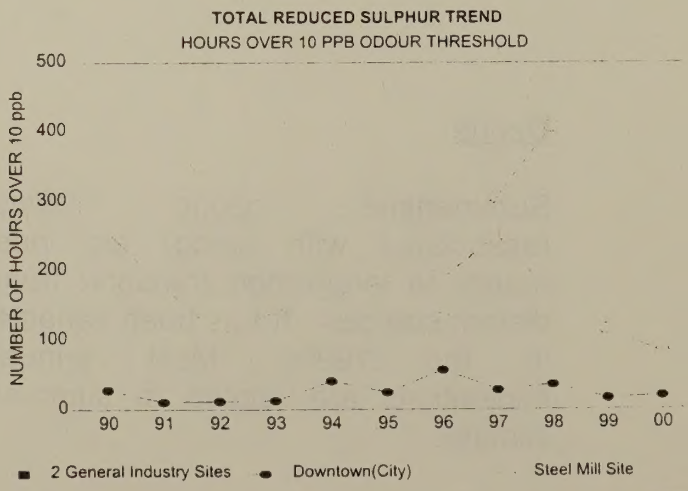
Nitrogen Dioxide

Nitrogen dioxide levels have been stable during the 1990s. Both industrial and vehicular emissions contribute to nitrogen dioxide levels. Cities such as Toronto, Vancouver and Montreal have experienced increased nitrogen dioxide levels during the past decade.



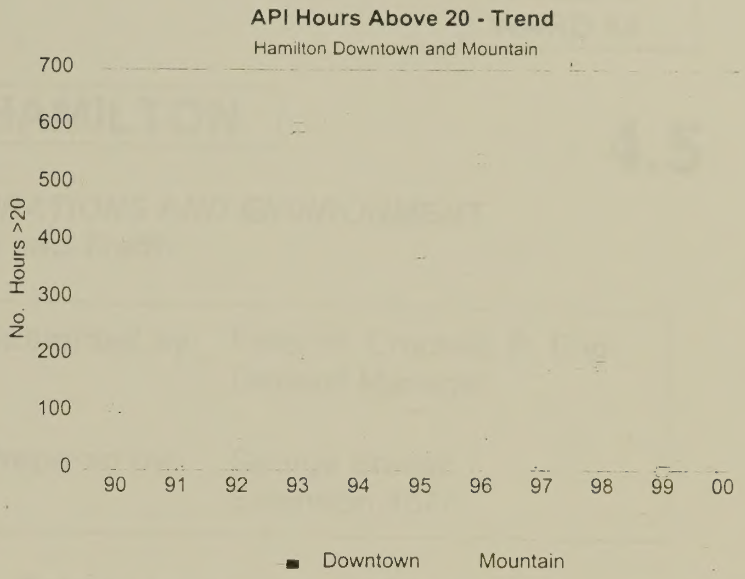
Total Reduced Sulphur (TRS)

Decreased TRS levels have resulted in large decreases in the number of hours above odour thresholds near the steel mills due to improved coke oven controls and procedures. Odours are generally confined to the northeast industrial zone, including the Beach Strip area. A small number of odourous hours are measured downtown annually, but these have decreased since 1996.



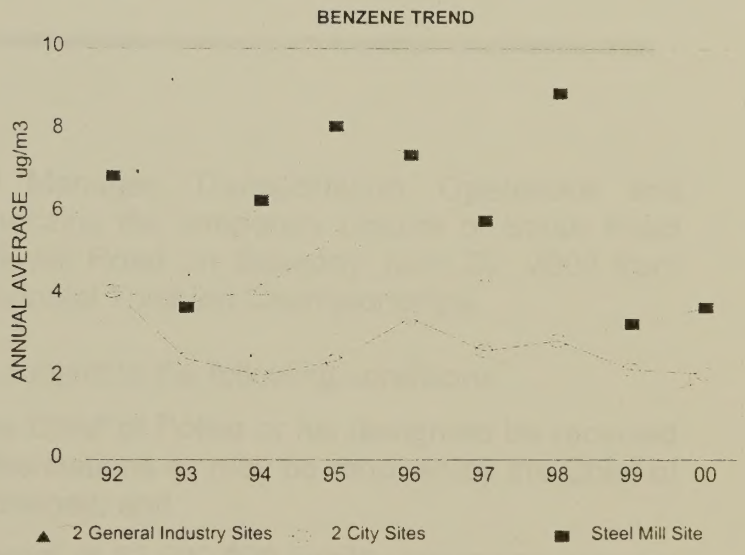
Air Pollution Index

The Air Pollution Index (API) has not reached the advisory level of 32 at any of the API stations since June 1996, and thus no requests for voluntary cutbacks by local industries have been necessary. These were the first years that this has occurred in Hamilton API history. The figure adjacent shows that the API now rarely exceeds 20.



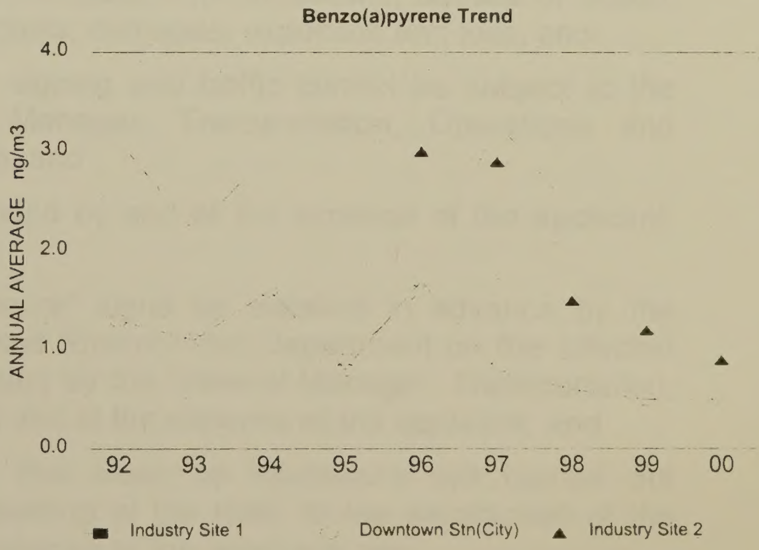
Benzene

Benzene levels decreased in 1999/2000 by over 50% near a steel mill compared to a composite of 1994-98. Benzene levels at the Beach Blvd site and another industry site have been stable since 1992 despite significant emission reductions at the steel mills. In the main part of the City benzene has decreased by 50% during the 1990s.



Benzo(a)pyrene (BaP)

BaP levels decreased by about 50% in 1999/2000 compared to a composite 94-98 average both near industry and downtown.



AFFECTS
WARD 14

CITY OF HAMILTON

4.5

TRANSPORTATION, OPERATIONS AND ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P. Eng. General Manager
Date:	May 24, 2002	**Prepared by:**	George Brovac Extension 4577

SUBJECT: **Temporary Closure for the Ontario Association of Triathletes and the Provincial Triathlon and Duathlon Championships (TOE02107) - (Ward 14)**

RECOMMENDATION:

(a) That the action of the General Manager, Transportation, Operations and Environment, be confirmed in authorizing the temporary closure of Safari Road between Edgewood Road and Kirkwall Road on Saturday June 29, 2002 from 8:00 a.m. until 2:30 p.m. for the Provincial Triathlon Championships.

(b) That approval of these closures be subject to the following conditions:

  (i) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and

  (ii) That the applicant provide proof of $2,000,000 liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and

  (iii) That all barricading, detour signing and traffic control be subject to the direction of the General Manager, Transportation, Operations and Environment or his designate; and

  (iv) That all barricading be provided by and at the expense of the applicant; and

  (v) That "Temporary Road Closure" signs be installed in advance by the Transportation, Operations and Environment Department on the affected roadways, if deemed necessary by the General Manager, Transportation, Operations and Environment and at the expense of the applicant; and

  (vi) That the applicant ensure that clean up operations are carried out immediately before the re-opening of the road, to the satisfaction of the City of Hamilton and at the expense of the applicant; and

(viii) That no property owner or resident within the closure area be denied access to their property upon request; and

(viii) That all property owners and tenants within the closure area be notified by the applicant, prior to the closure, in a form acceptable to the General Manager.

Peter Crockett, P. Eng. General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An application was received from the Ontario Association of Triathletes for the Provincial Triathlon and Duathlon Championships to close Safari Road between Edgewood Road and Kirkwall Road on Saturday June 29, 2002 from 8:00 a.m. until 2:30 p.m. The first Triathlon Championship occurred on June 9, 2001, thus making this year's triathlon the second time this event is to be held in The City of Hamilton. However the 2001 event occurred without a complete road closure. This years event will be undertaken with a designated detour route, Hamilton Police control at the limits of the closure, along the route and at all intersections, event volunteers at low visibility areas to assist the local resident and cyclist and most importantly under the approval of Council.

BACKGROUND:

An application was received from the Ontario Association of Triathletes for the Provincial Triathlon and Duathlon Championships to close Safari Road between Edgewood Road and Kirkwall Road on Saturday June 29, 2002 from 8:00 a.m. until 2:30 p.m. The first Triathlon Championship occurred on June 9, 2001. This year's event is to attract five to seven hundred of some of the Provinces best Triathletes. Additionally, there will be a division for athletes with disabilities.

The applicant has notified the residents in an extended area of the event and to date no concerns have been identified. The applicant has informed the local residents of the closure via a hand delivered notice. Additionally they have contacted three of the more influential business along the closure and have received support from two of them for the event. Those businesses supporting the event are:

Pine Lane Greens – Marylyn Clark – 905-659-1271
Connon Nurseries – Art or Dan – 519-647-3997

African Lion Safari (Mike Takacs, General Manager – 519-623-2620 extension 301) was contacted by the applicant and informed staff on Monday May 27, 2002 that they are not in favour of the closure. Transportation, Operations & Environment staff reassured Mr. Takacs that the City would install the appropriate detour signs and could if so directed by the area Councillor, install additional directional signs to the African Lion Safari.

Transportation, Operations & Environment staff does not believe that the road closure will have a negative impact on the African Lion Safari attendance, due to the provision of a parallel route.

The Transportation, Operations and Environment Department will install warning signs one week prior to the closure. The detour route for motorists will be along Edgewood Road, Sixth Concession Road West and Kirkwall Road. Hamilton Police Services will be providing control at the limits of the closure, along the route and at all intersections. Hamilton Police Services will allow motorists to travel north and south along the connecting roadways within the closure. Fire and emergency services have been assured that a lane and a half will remain open for emergency situations. The event organizers are to arrange for volunteers at low visibility points to assist the local resident and cyclist during the closure.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The applicant has paid the appropriate $450 road closure fee.

POLICIES AFFECTING PROPOSAL:

The City has a policy for delegated authority for short term road closures. The policy states that delegated authority are given for events from previous years as long as: the event takes place in the same location as the previous year, and during the same time of day/day of week. This event does not conform to the policy as the previous year's event was undertaken without the provision of a road closure.

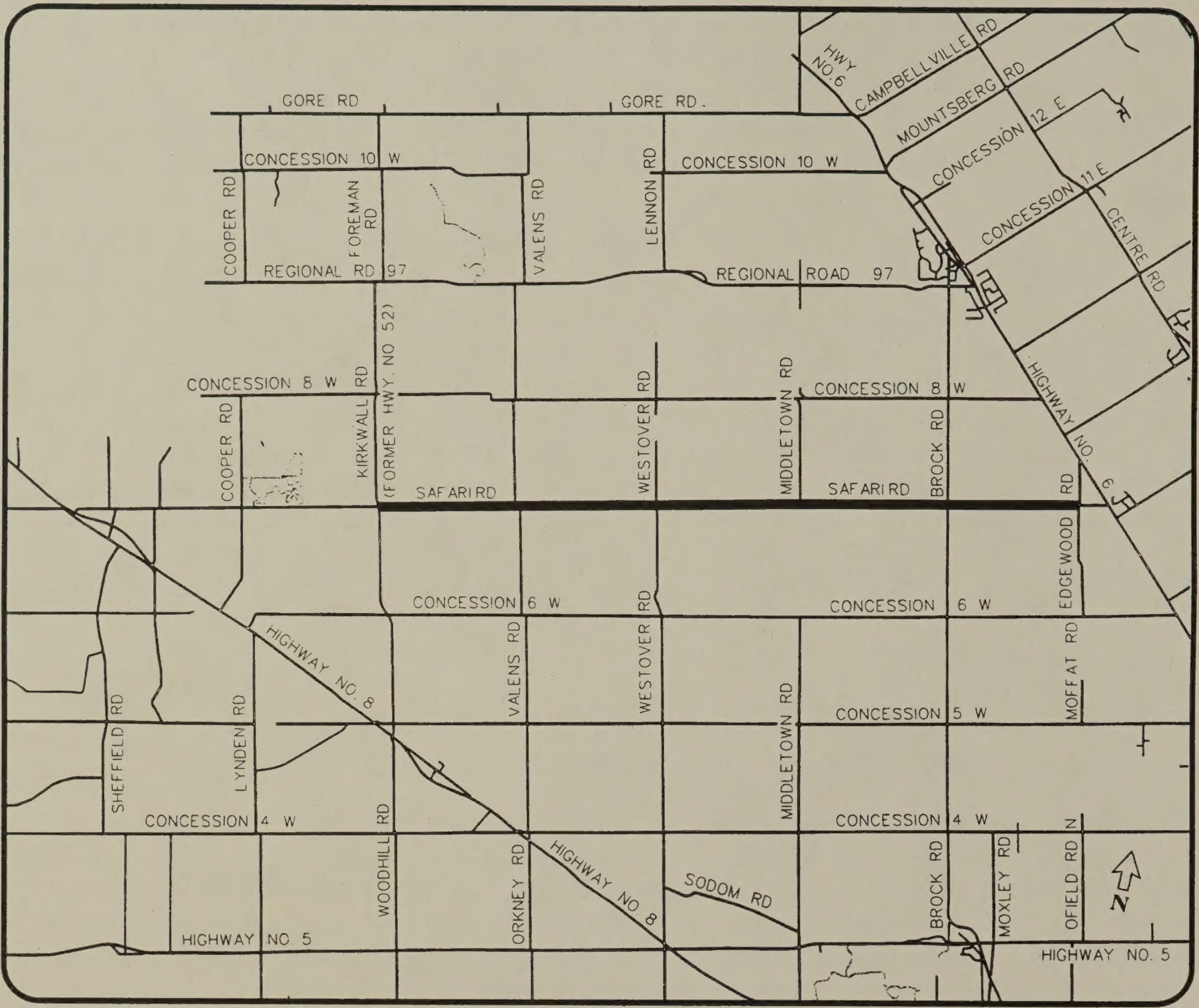
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

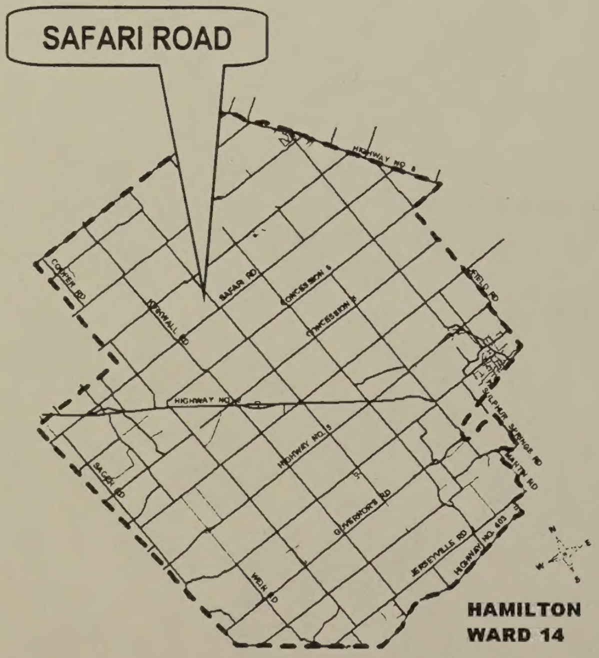
CITY STRATEGIC COMMITMENT:

Special events help citizens celebrate and preserve the diversity of the City of Hamilton as well as promoting Hamilton as a desirable place to live and work.

Attached: Key Maps


GORE RD
GORE RD.
HWY NO. 6
CAMPBELLVILLE RD
MOUNTSBERG RD
CONCESSION 12 E
CONCESSION 11 E
CENTRE RD
CONCESSION 10 W
CONCESSION 10 W
COOPER RD
FOREMAN RD
VALENS RD
LENNON RD
REGIONAL RD 97
REGIONAL ROAD 97
CONCESSION 8 W
KIRKWALL RD
(FORMER HWY. NO 52)
WESTOVER RD
MIDDLETOWN RD
CONCESSION 8 W
BROCK RD
HIGHWAY NO. 6
COOPER RD
SAFARI RD
SAFARI RD
EDGEWOOD RD
CONCESSION 6 W
CONCESSION 6 W
HIGHWAY NO. 8
VALENS RD
WESTOVER RD
MOFFAT RD
SHEFFIELD RD
LYNDEN RD
MIDDLETOWN RD
CONCESSION 5 W
CONCESSION 4 W
CONCESSION 4 W
WOODHILL RD
ORKNEY RD
HIGHWAY NO 8
SODOM RD
BROCK RD
MOXLEY RD
OFIELD RD N
N
HIGHWAY NO. 5
HIGHWAY NO. 5

KEY MAP


SAFARI ROAD
COOPER RD
KIRKWALL RD
SAFARI RD
CONCESSION 5
CONCESSION 4
HIGHWAY NO. 8
HIGHWAY NO. 6
HIGHWAY NO. 5
OFIELD RD
GOVERNOR'S RD
JERSEYVILLE RD
HIGHWAY NO. 403
WEIR RD
SAWELL RD
HAMILTON
WARD 14

LOCATION PLAN

TEMPORARY ROAD CLOSURE:
SAFARI ROAD
KIRKWALL ROAD (HWY NO. 52)
TO EDGEWOOD ROAD

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

▬

SUBJECT ROAD

SCALE **NOT TO SCALE**	DATE **2002-06-03**
REFERENCE FILE NO:	**TOE02107**

AFFECTS
WARD 2

CITY OF HAMILTON

4.6

TRANSPORTATION, OPERATIONS AND ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P. Eng. General Manager
Date:	May 29, 2002	**Prepared by:**	George Brovac Extension 4577

SUBJECT: **Temporary Closures for Black Flower Productions Limited and the Filming of The Yeltsin Project (TOE02106) - (Ward 2)**

RECOMMENDATION:

(a) That the action of the General Manager, Transportation, Operations and Environment, be confirmed in authorizing the temporary closure of the following streets on the following dates be approved for filming purposes:

- (i) King Street East (north leg only) from John Street to James Street on Sunday June 9, 2002 from 6:00 a.m. until 2:00 p.m. that same day for filming
- (ii) James Street South between King Street and Main Street on Sunday June 16, 2002 from 11:00 a.m. until 8:00 p.m. that same day for filming.

(b) That approval of these closures be subject to the following conditions:

- (i) That the prior approval of the Chief of Police or his designate be received and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and
- (ii) That the applicant provide proof of $2,000,000 liability insurance, naming the City of Hamilton as an added insured party with a provision for cross liability and holding the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
- (iii) That all barricading, detour signing and traffic control be subject to the direction of the General Manager, Transportation, Operations and Environment or his designate; and
- (iv) That all barricading be provided by and at the expense of the applicant; and

(v) That "Temporary Road Closure" signs be installed in advance by the Transportation, Operations and Environment Department on the affected roadways, if deemed necessary by the General Manager, Transportation, Operations and Environment and at the expense of the applicant; and

(vi) That the applicant ensure that clean up operations are carried out immediately before the re-opening of the road, to the satisfaction of the City of Hamilton and at the expense of the applicant; and

(vii) That no property owner or resident within the closure area be denied access to their property upon request; and

(viii) That all property owners and tenants within the closure area be notified by the applicant, prior to the closure, in a form acceptable to the General Manager.

Peter Crockett, P. Eng. General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An application was received from Black Flower Productions Limited to temporarily close King Street East (north leg) from John Street to James Street on Sunday June 9, 2002 from 6:00 a.m. until 2:00 p.m. and to close James Street South between Main Street and King Street on Sunday June 16, 2002 from 11:00 a.m. until 8:00 p.m. for the purpose of filming. As time constraints did not allow this item to be presented to Council prior to the filming and as filming generally has a positive impact on the community, the General Manager of Transportation, Operations and Environment agreed to the request.

BACKGROUND:

An application was received from Black Flower Productions Limited to temporarily close King Street East (north leg) from John Street to James Street on Sunday June 9, 2002 from 6:00 a.m. until 2:00 p.m. and to close James Street South between Main Street and King Street on Sunday June 16, 2002 from 11:00 a.m. until 8:00 p.m. for the purpose of filming. Although the application for closure was not received in sufficient time for Council approval, the General Manager, Transportation, Operations and Environment allowed the road to be closed in order to accommodate the filming schedule.

ANALYSIS OF ALTERNATIVES:

The Film Company is following a schedule, which prevents the work from being deferred to another date.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The applicant has paid the appropriate $900 ($450 for each closure) road closure fee.

POLICIES AFFECTING PROPOSAL:

Although applications must be received 90 days prior to an event, in this instance it was determined that the minimum impact on traffic and the importance of filming in the City would allow for deviation from the policy.

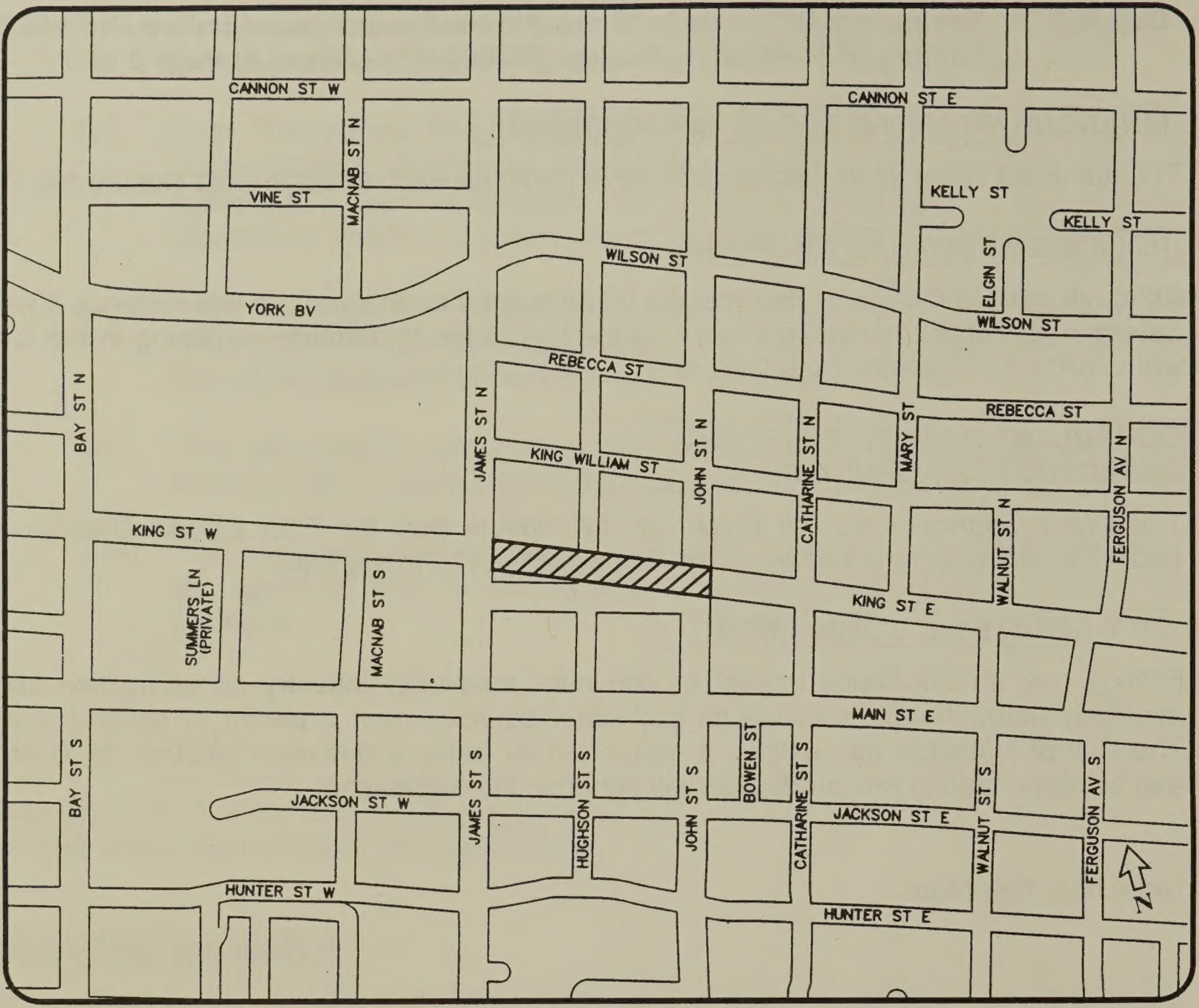
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The Ward Councillor was in favour of the closure and the Film Liaison Division of Economic Development has been working closely with the applicant.

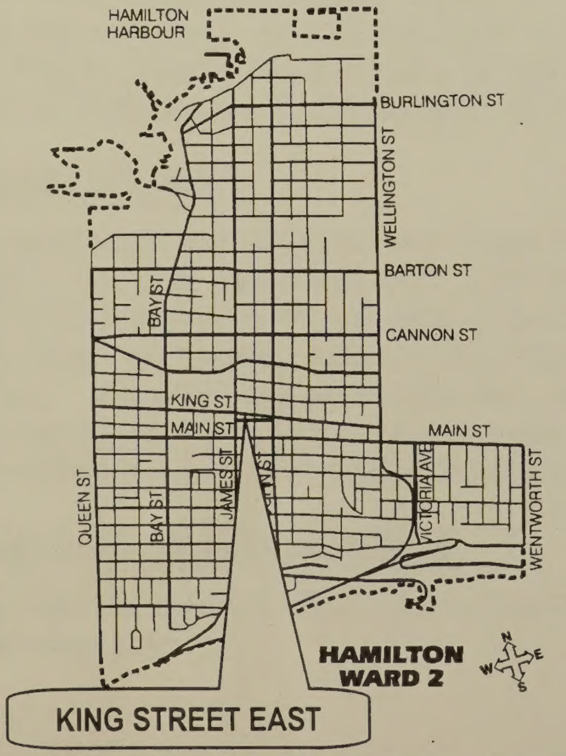
CITY STRATEGIC COMMITMENT:

Filming has an enormous impact on the area hospitality industry as production staff generally utilize hotels, restaurants and other services over a period of several days. The City of Hamilton has earned a reputation for being a desirable location for filming and accommodating this production will enhance that reputation.

Attached: Key Maps


CANNON ST W
CANNON ST E
KELLY ST
KELLY ST
VINE ST
MACNAB ST N
WILSON ST
ELGIN ST
WILSON ST
YORK BV
REBECCA ST
REBECCA ST
BAY ST N
JAMES ST N
KING WILLIAM ST
JOHN ST N
CATHARINE ST N
MARY ST
FERGUSON AV N
WALNUT ST N
KING ST W
SUMMERS LN (PRIVATE)
MACNAB ST S
KING ST E
MAIN ST E
BAY ST S
JAMES ST S
HUGHSON ST S
JOHN ST S
BOWEN ST
CATHARINE ST S
WALNUT ST S
FERGUSON AV S
JACKSON ST W
JACKSON ST E
HUNTER ST W
HUNTER ST E
N

KEY MAP


HAMILTON HARBOUR
BURLINGTON ST
WELLINGTON ST
BARTON ST
BAY ST
CANNON ST
KING ST
MAIN ST
MAIN ST
QUEEN ST
BAY ST
JAMES ST
JOHN ST
VICTORIA AVE
WENTWORTH ST
HAMILTON WARD 2
N
E
S
W
KING STREET EAST

LOCATION PLAN

TEMPORARY ROAD CLOSURE:
KING STREET EAST (NORTH LEG)
FROM JOHN STREET
TO JAMES STREET

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

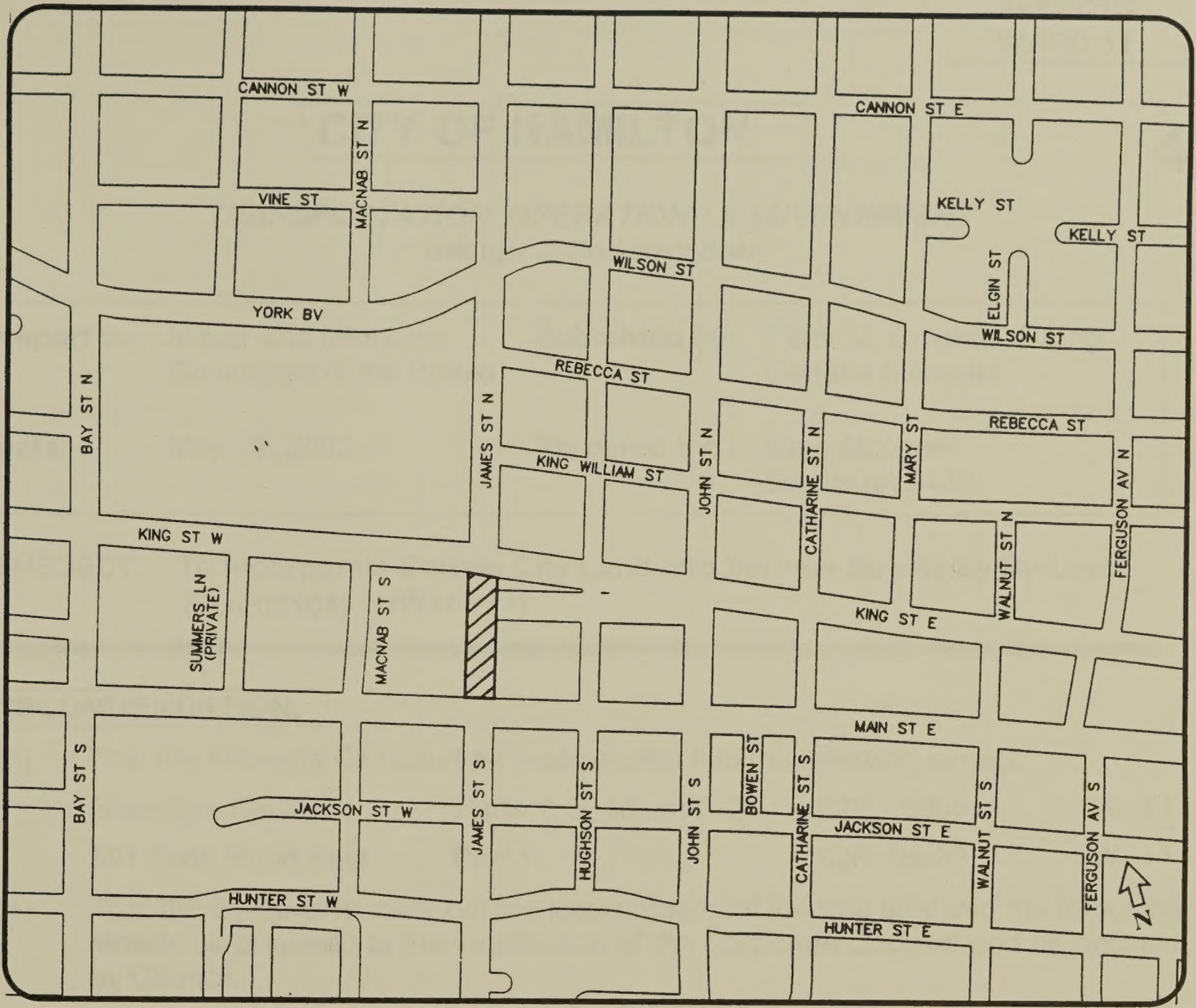
LEGEND

▨

SUBJECT ROAD

SCALE	DATE
NOT TO SCALE	**2002-06-03**

REFERENCE FILE NO: **TOE02106**


CANNON ST W
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MACNAB ST N
VINE ST
KELLY ST
KELLY ST
WILSON ST
ELGIN ST
YORK BV
WILSON ST
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REBECCA ST
REBECCA ST
JAMES ST N
KING WILLIAM ST
JOHN ST N
CATHARINE ST N
MARY ST
FERGUSON AV N
WALNUT ST N
KING ST W
SUMMERS LN (PRIVATE)
MACNAB ST S
KING ST E
MAIN ST E
BAY ST S
JAMES ST S
HUGHSON ST S
JOHN ST S
BOWEN ST
CATHARINE ST S
WALNUT ST S
FERGUSON AV S
JACKSON ST W
JACKSON ST E
HUNTER ST W
HUNTER ST E
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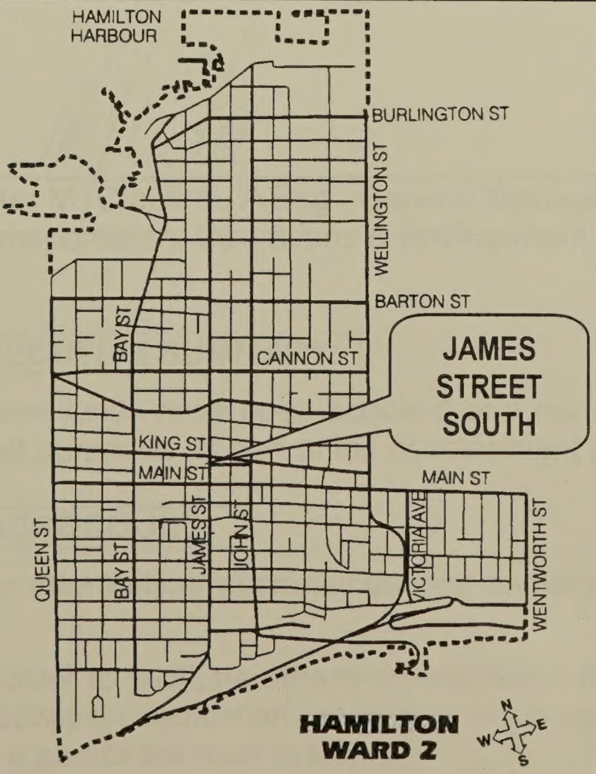
KEY MAP


HAMILTON HARBOUR
BURLINGTON ST
WELLINGTON ST
BARTON ST
BAY ST
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JAMES STREET SOUTH
KING ST
MAIN ST
MAIN ST
QUEEN ST
BAY ST
JAMES ST
JOHN ST
VICTORIA AVE
WENTWORTH ST
HAMILTON WARD 2
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W
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LOCATION PLAN

TEMPORARY ROAD CLOSURE:
JAMES STREET SOUTH
FROM KING STREET
TO MAIN STREET

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

▨

SUBJECT ROAD

SCALE	DATE
NOT TO SCALE	**2002-06-03**

REFERENCE FILE NO: **TOE02106**

AFFECTS
WARD 11

CITY OF HAMILTON

4.7

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Design & Construction

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	May 29, 2002	**Prepared by:**	Gord McGuire Extension 2439

SUBJECT: **To Incorporate Certain City Land into Various Streets by By-Law (TOE02105) - (Ward 11)**

RECOMMENDATION:

(a) That the following City Land be incorporated into the following streets:

Silverlace Circle	Parts 1, 5, 10, and 12	62R-16000	W--11
591 Sixth Road East	Part 1	62R-16003	W--11

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council.

(c) That the General Manager of Transportation, Operations & Environment be authorized and directed to register the By-Laws.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

These lands have been acquired at a nominal cost of $2.00 by the City of Hamilton for road purposes as part of the development process.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward(s) 11.

In order to facilitate orderly development the City has been acquiring lands through the subdivision dedication process or direct transfer. These lands are ultimately required to be a part of the road system.

To complete conditions of severance and to complete final street widths, it is necessary to incorporate City land into the road allowance as indicated below:

Incorporating Into Street Name	Land Description Being Incorporated	Financial Implications	Reason for Being Incorporated	File No.
Silverlace Circle	Lot 4 Plan 62R-16000 PIN 17367-0023	N/A	To open street and allow orderly development	S600-01
591 Sixth Road	Lot 13 Plan 62R-16003 PIN 17373-0019	N/A	To complete conditions of severance imposed by the Town of Stoney Creek	S600-01

ANALYSIS OF ALTERNATIVES:

The alternative to not incorporating these lands into public highway would be to bar legal access to abutting lands. This would conflict with the development policies and approved road patterns.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

FINANCIAL: These lands have been acquired at nominal costs during the development process and as such there is limited financial impact on the City of Hamilton.

STAFFING: There are no associated staffing implications.

LEGAL: The City of Hamilton is complying with the relevant legislation by enacting these By-Laws.

POLICIES AFFECTING PROPOSAL:

This recommendation does not bind the corporation to any policy matter.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In consultation with the Planning & Development Department, Development Engineering Section it has been determined that the development funding has been satisfied. As such this process should proceed to facilitate an orderly development pattern.

CITY STRATEGIC COMMITMENT:

The series of By-laws completes the development cycle originated under the Official Plans and the Vision 2020 document.

Attached: Key Maps and By-laws

Bill No.

City of Hamilton

BY-LAW NO. 02-

TO INCORPORATE CITY LAND DESIGNATED AS PARTS 1, 5, 10 AND 12 ON PLAN 62R-16000 INTO SILVERLACE CIRCLE

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Silverlace Court within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Silverlace Circle.

   Part of Lot 4 , Concession 2 in the geographic Township of Saltfleet, designated as Parts 1, 5, 10 and 12 on Plan 62R-16000

   City of Hamilton

2. That the General Manager of Transportation, Operations and Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This By-law shall come into force and take effect on the date of its registration in the Land Registry Office (No. 62).

PASSED AND ENACTED this day of A.D. 2002

MAYOR

CITY CLERK

Bill No.

City of Hamilton

BY-LAW NO. 02-

TO INCORPORATE CITY LAND DESIGNATED AS PART 1 ON PLAN 62R-16003 INTO SIXTH ROAD EAST

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, R.S.O. 1990, Chapter M.45, and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Sixth Road East within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Sixth Road East.

   Part of the original road allowance between Lots 12 and 13, Concession 4, in the geographic Township of Saltfleet, designated as all of Part 1 on Plan 62R-16003

   City of Hamilton

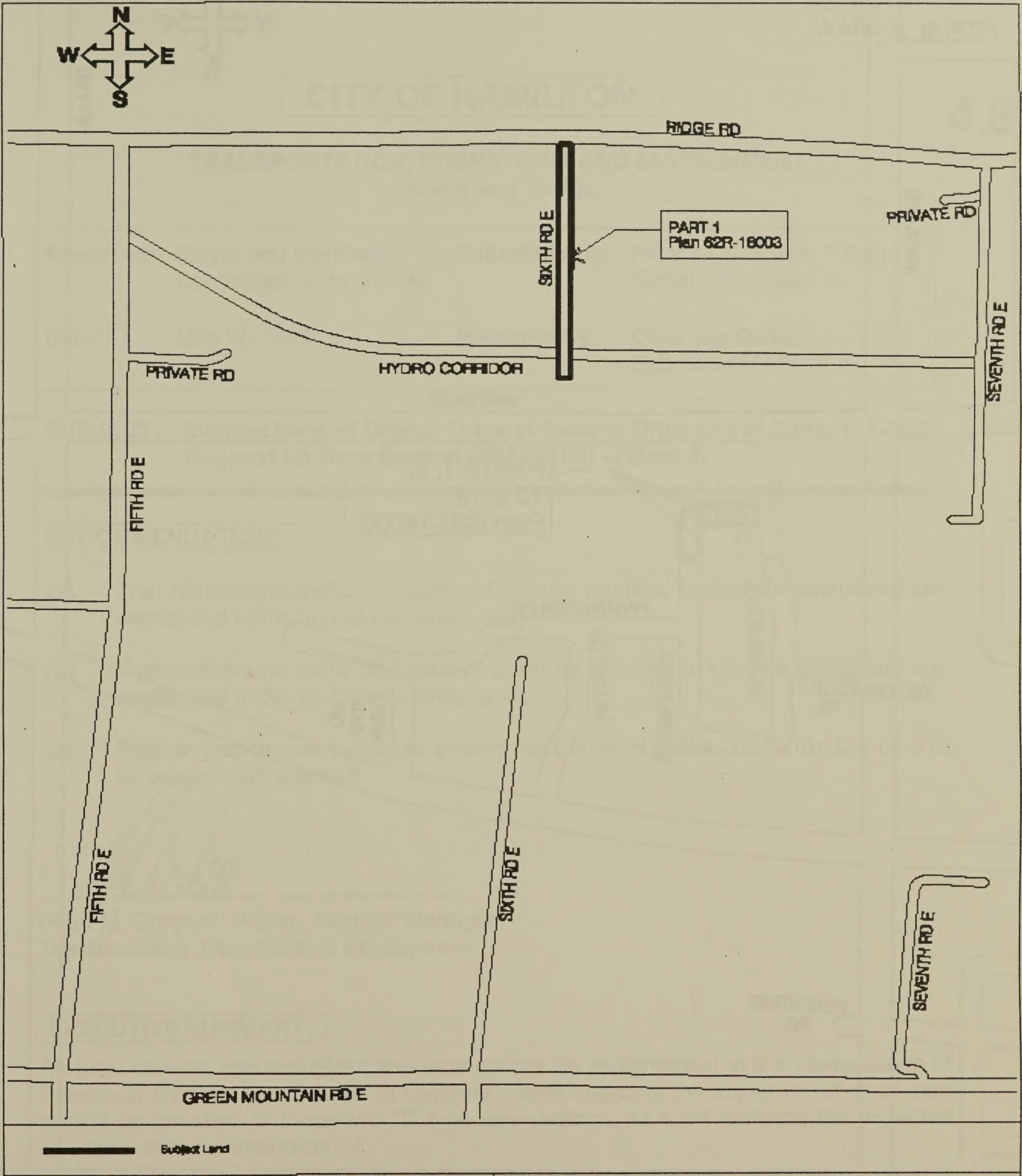
2. That the General Manager of Transportation, Operations and Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.

4. This By-law shall come into force and take effect on the date of its registration in the Land Registry Office (No. 62).

PASSED AND ENACTED this day of A.D. 2002

MAYOR

CITY CLERK


N
W
E
S
RIDGE RD
PART 1
Plan 62R-16003
SIXTH RD E
PRIVATE RD
SEVENTH RD E
PRIVATE RD
HYDRO CORRIDOR
FIFTH RD E
FIFTH RD E
SIXTH RD E
SEVENTH RD E
GREEN MOUNTAIN RD E
Subject Land

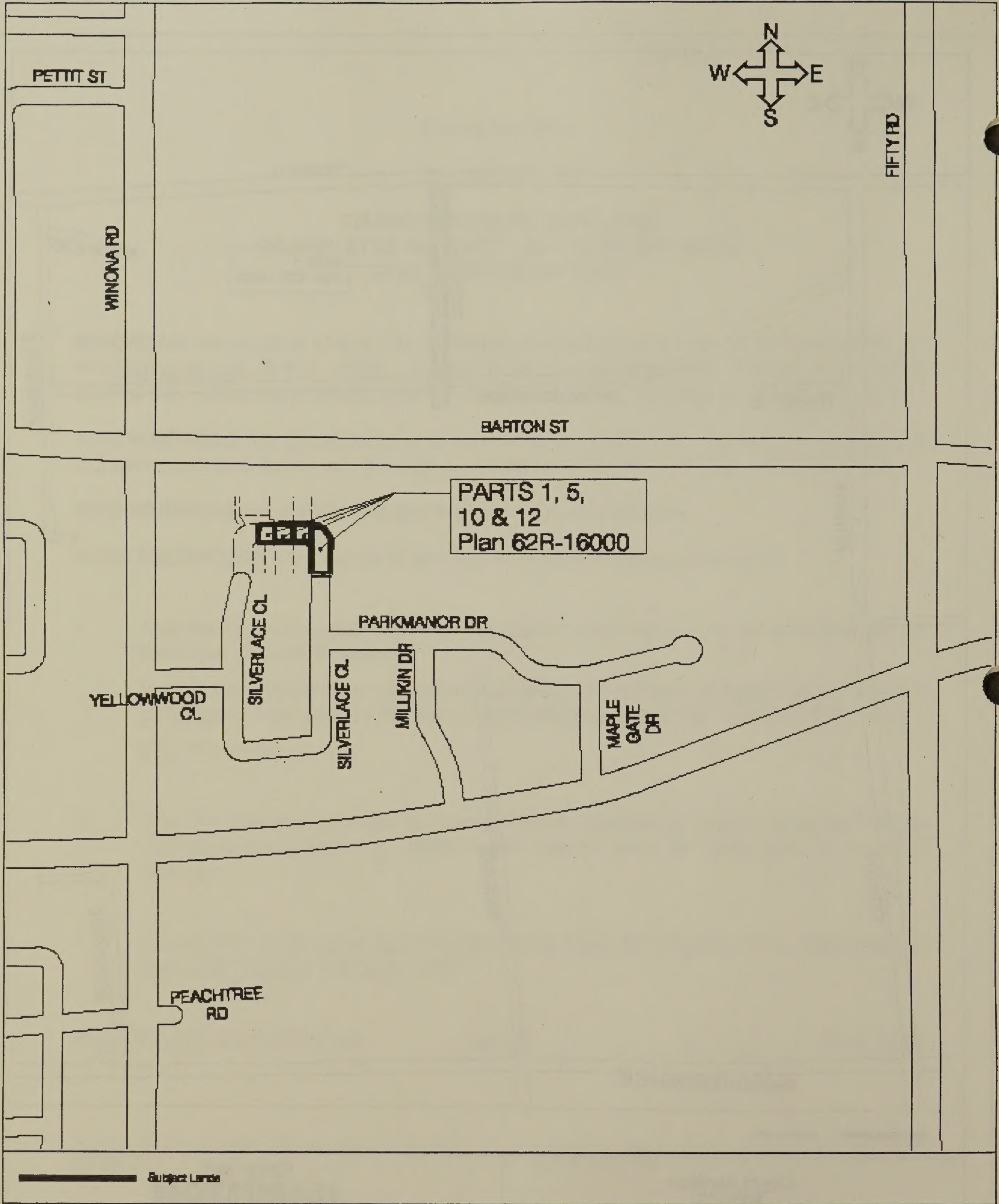
City of Hamilton
Ward 11

By-law
Sixth Road East

CITY OF
HAMILTON
Transportation, Operations and Environment Department
General Manager, Peter M. Crockett, P. Eng.

DATE: MAY 24, 2002

NOT TO SCALE


N
W
E
S
PETTIT ST
WINONA RD
FIFTY RD
BARTON ST
PARTS 1, 5,
10 & 12
Plan 62R-16000
PARKMANOR DR
SILVERLACE CL
SILVERLACE CL
MILLIKIN DR
YELLOWWOOD CL
MAPLE GATE DR
PEACHTREE RD
Subject Lands

City of Hamilton
Ward 11
By-law
Silverlace Circle

CITY OF HAMILTON

Transportation, Operations and Environment Department
General Manager, Peter M. Crockett, P. Eng.

DATE: MAY 27, 2002

NOT TO SCALE

AFFECTS
WARD 8

4.8

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS AND ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager
Date:	May 28, 2002	**Prepared by:**	Chris van Berkel Extension 5663

SUBJECT: **Intersections of Delmar Drive at Geneva Drive and at Cambria Court - Request for Stop Control (TOE02104) - (Ward 8)**

RECOMMENDATION:

(a) That northbound traffic on Geneva Drive be required to stop for eastbound and westbound traffic on Delmar Drive; and,

(b) That northbound traffic on Cambria Court be required to stop for eastbound and westbound traffic on Delmar Drive; and,

(c) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that stop control be implemented at the intersections of Delmar at Geneva and Delmar at Cambria. Staff supports the implementation of stop control on the stem of these two “T” type intersections, as it will reinforce the expected operation of these intersections.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 8.

Staff have received a request from an area resident, that stop control be implemented at Delmar Drive at Geneva Drive and Delmar Drive at Cambria Court. Both intersections are “T” type intersections and currently, there are no intersection control signs in place.

Records indicate that there have been no reported collisions at either intersection in at least the past five years.

Staff supports the principle of stopping one direction of traffic at “T” type intersections in lieu of the otherwise applicable “right-hand-rule” which may not be clearly understood by all motorists. Therefore, staff recommends that northbound traffic on both Geneva and Cambria be required to stop for eastbound and westbound traffic on Delmar.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the request for stop control. The two subject intersections are presently uncontrolled and there have been no reported collisions at these intersections in the past five years. This is a good indication that they are operating satisfactorily, and have been for a long period of time.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the “right-of-way” at the subject intersections, thus, reducing the potential for collisions and providing a safer community.

Attached: Key Map and By-Law

Bill No.

City of Hamilton

BY-LAW NO. 02-

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Geneva	Northbound	Delmar
Cambria	Northbound	Delmar"

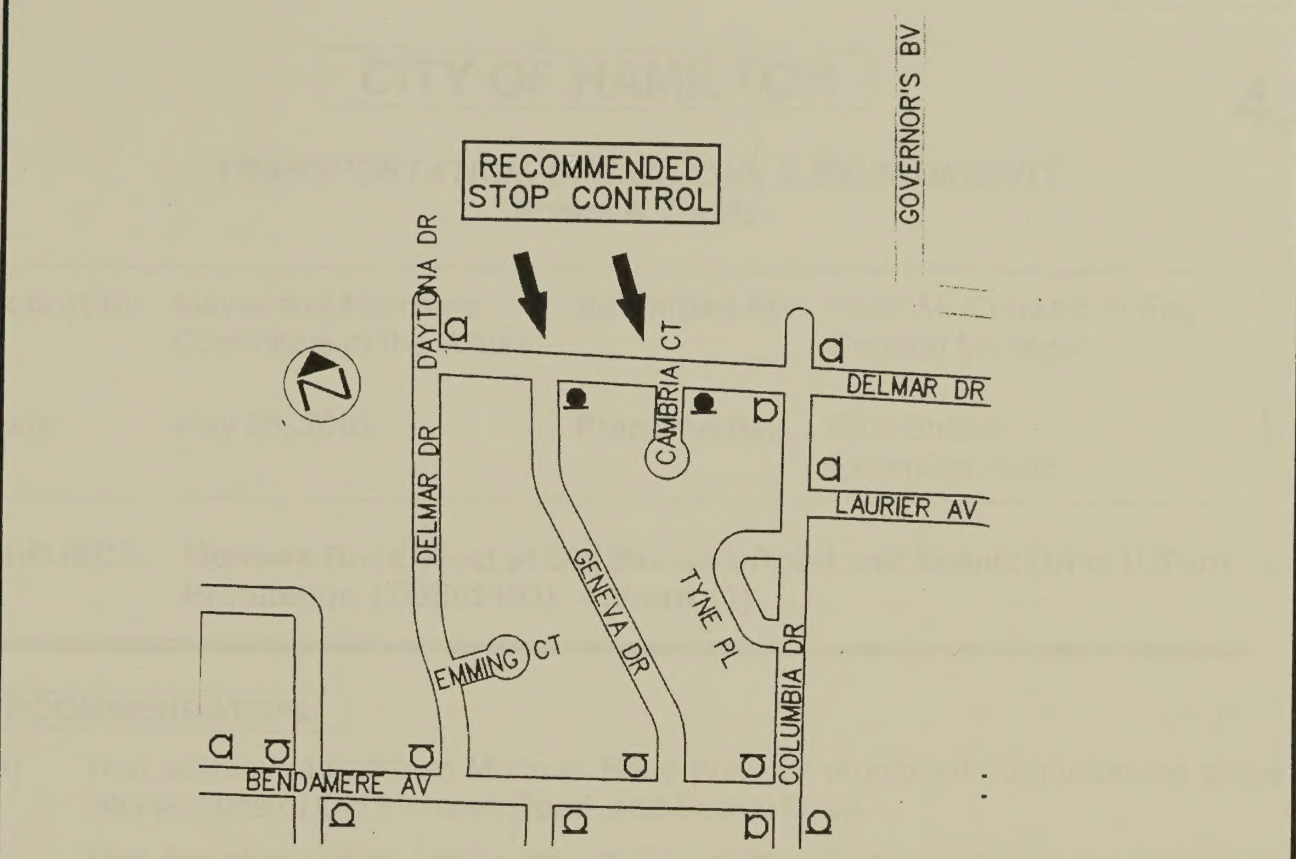
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

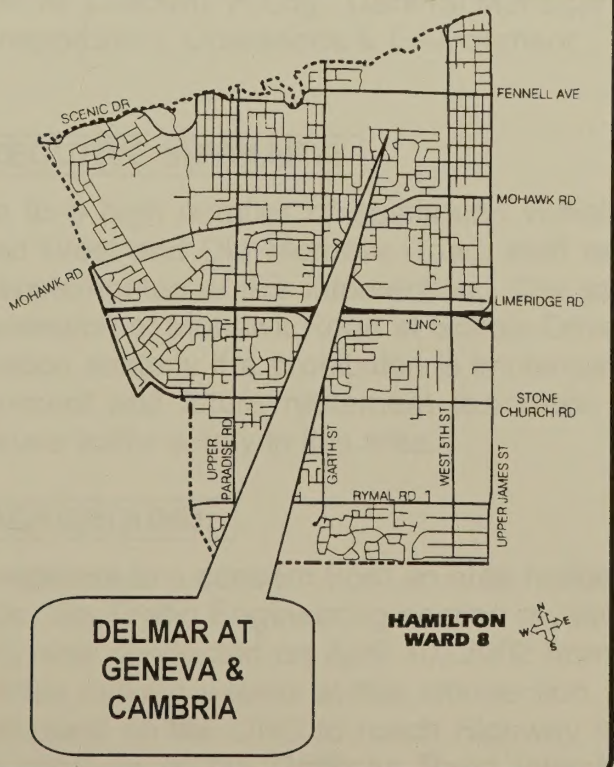
PASSED and ENACTED this day of , 2002

MAYOR

CITY CLERK


RECOMMENDED STOP CONTROL
GOVERNOR'S BV
DAYTONA DR
DELMAR DR
CAMBRIA CT
DELMAR DR
LAURIER AV
GENEVA DR
TYNE PL
EMMING CT
COLUMBIA DR
BENDAMERE AV

KEY MAP


FENNELL AVE
SCENIC DR
MOHAWK RD
MOHAWK RD
LIMERIDGE RD
'LINC'
STONE CHURCH RD
UPPER PARADISE RD
GARTH ST
WEST 5TH ST
UPPER JAMES ST
RYMAL RD
DELMAR AT GENEVA & CAMBRIA
HAMILTON WARD 8
N
E
S
W

LOCATION PLAN

STOP CONTROL
NORTHBOUND
GENEVA DR & CAMBRIA CT
AT DELMAR DR
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
⚑	STOP SIGN	⊃	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE
NOT TO SCALE

DATE
2002-06-03

REFERENCE FILE NO: **TOE02104**

AFFECTS
WARD 12

CITY OF HAMILTON

4.9

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads & Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager
Date:	May 28, 2002	**Prepared by:**	Rich Shebib Extension 3909

SUBJECT: **Mohawk Road West at Old Mohawk Road and Scenic Drive U-Turn Prohibition (TOE02103) - (Ward 12)**

RECOMMENDATION:

(a) That eastbound traffic on Mohawk Road West be prohibited from u-turning at the intersections of Old Mohawk Road, and Scenic Drive.

(b) That the attached by-law to amend City of Hamilton Traffic By-Law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

Due to a high number of eastbound vehicles u-turning at the intersection of Mohawk Road West and Old Mohawk Road, staff recommends an eastbound u-turn prohibition be implemented at this intersection. The same restriction is also recommended for the intersection of Mohawk Road at Scenic Drive to eliminate the possibility of relocating the situation easterly if a prohibition is implemented at Old Mohawk Road. Due to the road alignment and future retirement residence near this intersection, the changes should improve traffic safety in this area.

BACKGROUND:

In response to a concern from an area resident expressed through Councillor Ferguson's office, the Traffic Engineering section reviewed the traffic patterns in this area. A traffic study was conducted on April 10, 2002 from 7:00am – 8:00am. This study revealed 26 vehicles making u-turns at this intersection. Due to the large volume of traffic travelling westbound on the LINC to reach Highway 403 during the morning peak, queue lengths can back up to the Golflinks Road interchange. Impatient drivers exit the LINC at

Golflinks Road, and u-turn at the intersection of Mohawk Road West and Old Mohawk Road, then enter the LINC on-ramp at Mohawk Road in order to jump the queue.

This manoeuvre is not recommended, as this section of Mohawk Road curves sharply to the east, restricting visibility. The collision history includes 12 collisions at the intersection of Mohawk Road West and Old Mohawk Road in the last 5 years. Of these 12 collisions, 2 may have been as a result of u-turning vehicles. The collision potential could increase with the addition of the driveway access to the retirement complex.

ANALYSIS OF ALTERNATIVES:

An alternative to this recommendation would be to take no action. This would not improve on the situation of vehicles making u-turns at these intersections.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds exist in the current budget sign installation and maintenance program to manufacture and install the recommended signage.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

If the recommended u-turn restrictions are approved, and following installation of appropriate signage, Traffic Engineering will contact Police Services to ensure enforcement.

CITY STRATEGIC COMMITMENT:

The installation of the recommended u-turn restrictions will improve safety and potentially achieve a reduction in shortcutting traffic volume on this arterial roadway. The reduced volumes may result in a reduction in both air and noise pollution.

Attached: Map and By-Law

Bill No.

City of Hamilton

BY-LAW NO. 02-

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 12 (No "U"-Turns) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Mohawk Rd. W.	Eastbound to Westbound	Old Mohawk Rd.	Anytime
Mohawk Rd. W.	Eastbound to Westbound	Scenic Dr.	Anytime"

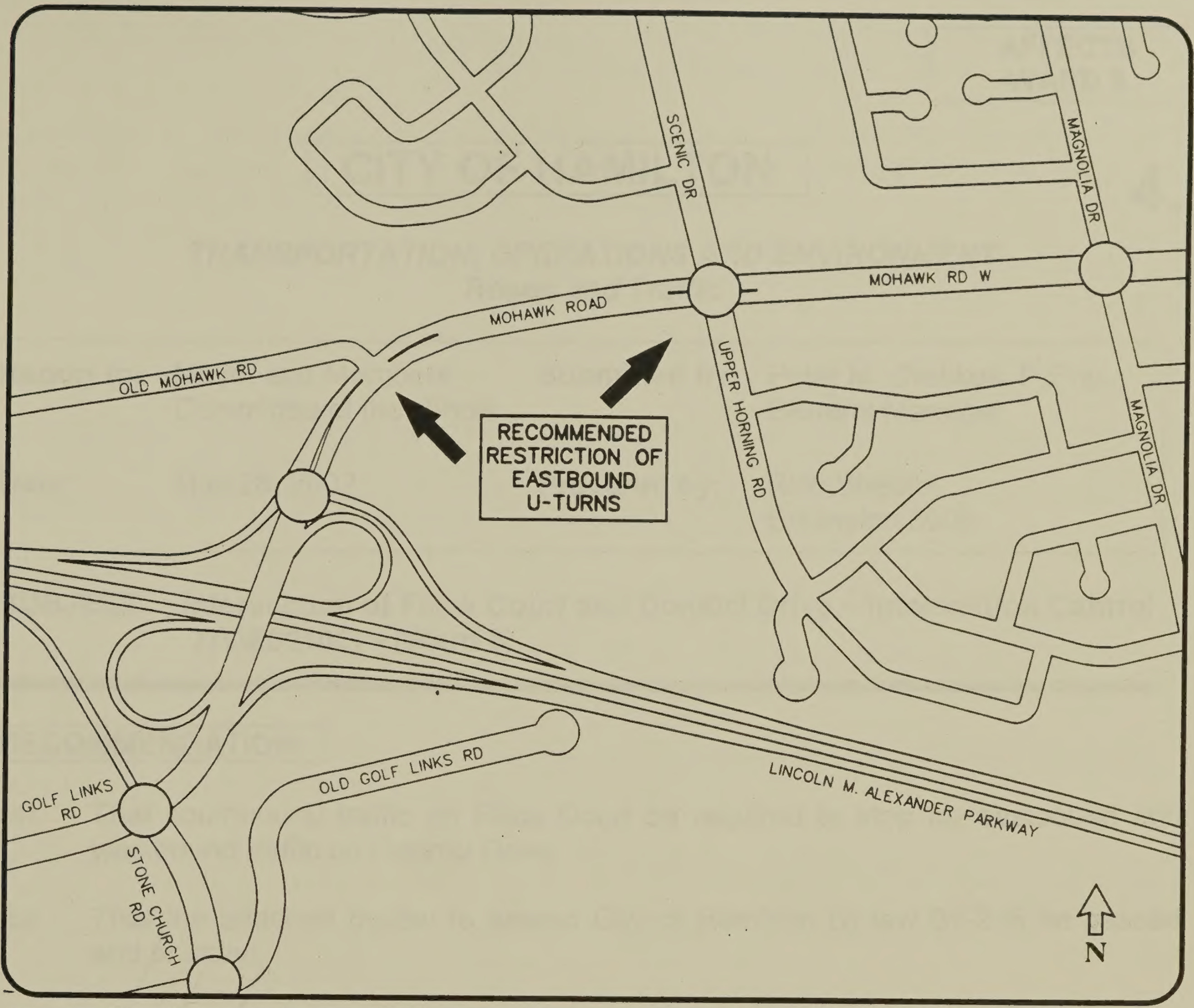
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this day of , 2002

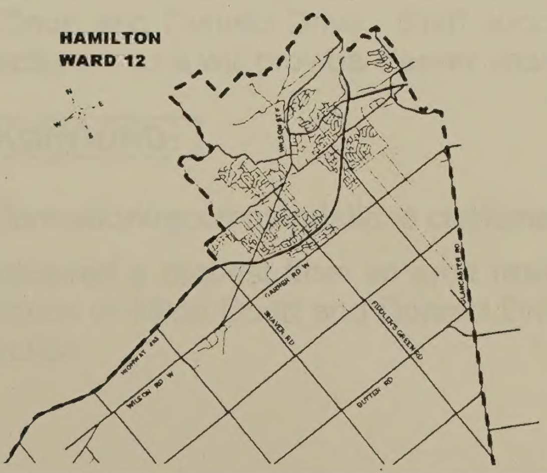
MAYOR

CITY CLERK


SCENIC DR
MAGNOLIA DR
MOHAWK RD W
MOHAWK ROAD
OLD MOHAWK RD
UPPER HORNING RD
MAGNOLIA DR
RECOMMENDED RESTRICTION OF EASTBOUND U-TURNS
GOLF LINKS RD
OLD GOLF LINKS RD
STONE CHURCH RD
LINCOLN M. ALEXANDER PARKWAY
N

KEY MAP

MOHAWK RD AT OLD MOHAWK RD
MOHAWK RD W AT SCENIC / UPPER HORNING DR


HAMILTON
WARD 12

LOCATION PLAN

RESTRICTION OF EASTBOUND U-TURNS:
MOHAWK RD AT OLD MOHAWK RD
MOHAWK RD W AT SCENIC DR / UPPER HORNING RD
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

○ TRAFFIC SIGNAL

SCALE	DATE
NOT TO SCALE	**2002-06-03**

REFERENCE FILE NO: **TOE02103**

AFFECTS
WARD 8

CITY OF HAMILTON

4.10

TRANSPORTATION, OPERATIONS AND ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager
Date:	May 28, 2002	**Prepared by:**	Rich Shebib Extension 3909

SUBJECT: **Intersection of Filice Court and Donnici Drive – Intersection Control (TOE02102) - (Ward 8)**

RECOMMENDATION:

(a) That southbound traffic on Filice Court be required to stop for eastbound and westbound traffic on Donnici Drive.

(b) That the attached by-law to amend City of Hamilton By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

An area resident has requested that stop control be implemented at the intersection of Filice Court and Donnici Drive. Staff support introducing a stop on the stem of "T-type Intersections", as it will provide clearer designation of right-of-way.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 8.

Staff received a request from an area resident, that stop control be implemented at the intersection of Filice Court and Donnici Drive, as there is no form of traffic control at this intersection.

The subject intersection is a "T" type intersection. There have been no intersection related collisions at this intersection. Staff support the principle of stopping one direction of traffic at "T" type intersections in lieu of the otherwise applicable "right-hand rule", which may not be clearly understood by all motorists. Therefore, staff recommend that southbound traffic on Filice Court be required to stop for eastbound and westbound traffic on Donnici Drive.

ANALYSIS OF ALTERNATIVES:

One alternative to the recommendation would be to take no action on the implementation of stop control. There have been no reported intersection related collisions at this intersection, which is an indication that the intersection is operating satisfactorily without signed stop control.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in regular current accounts to cover the cost of manufacturing, erecting and maintaining the required signs.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

The implementation of stop control will clearly define the "right-of-way" at the subject intersection, thus, reducing the potential for collisions and providing a safer community.

Attached: Map & By-law

Bill No.

City of Hamilton

BY-LAW NO. 02-

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Filice Court	Southbound	Donnici Drive"

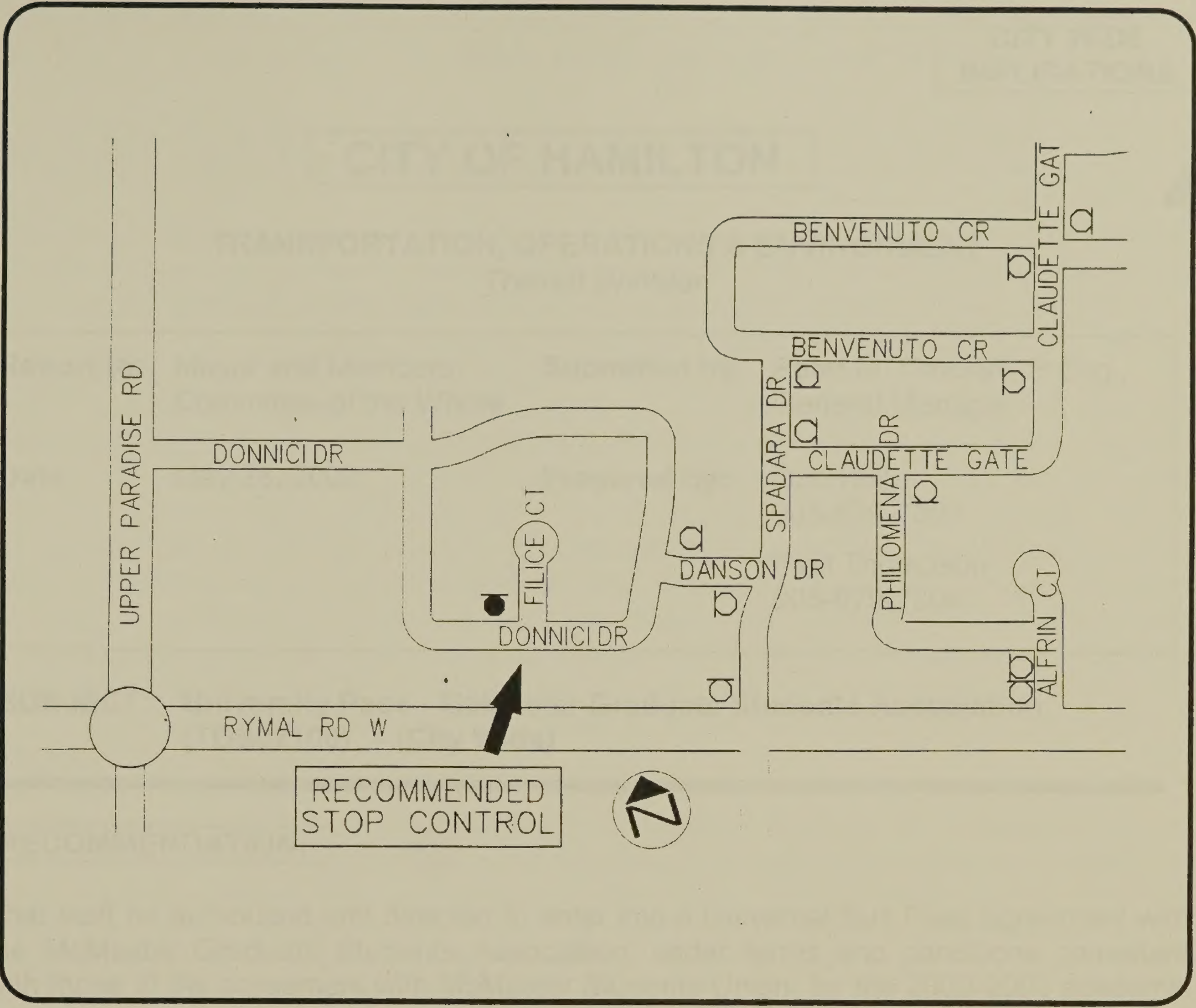
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

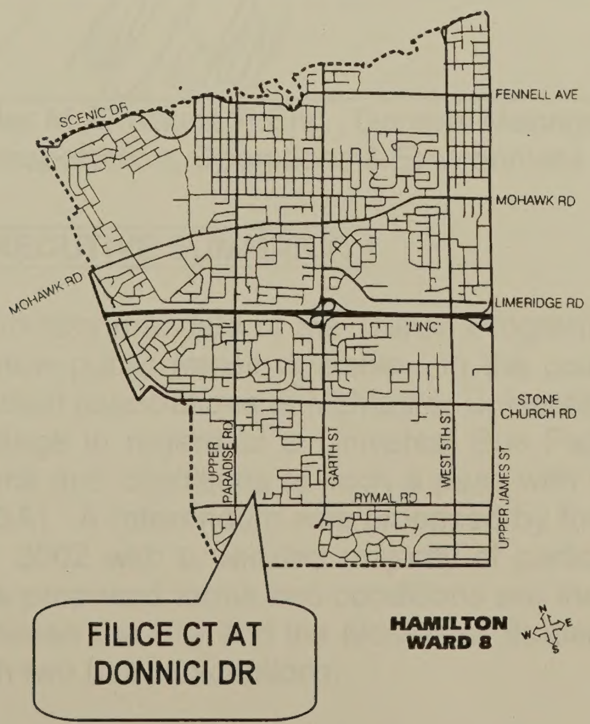
PASSED AND ENACTED this day of , 2002

MAYOR

CITY CLERK


UPPER PARADISE RD
DONNICI DR
FILICE CT
DONNICI DR
DANSON DR
SPADARA DR
BENVENUTO CR
BENVENUTO CR
CLAUDETTE GATE
CLAUDETTE GAT
PHILOMENA DR
ALFRIN CT
RYMAL RD W
RECOMMENDED STOP CONTROL
N

KEY MAP


SCENIC DR
FENNELL AVE
MOHAWK RD
MOHAWK RD
LIMERIDGE RD
'LINC'
STONE CHURCH RD
UPPER PARADISE RD
GARTH ST
WEST 5TH ST
UPPER JAMES ST
RYMAL RD
FILICE CT AT DONNICI DR
HAMILTON WARD 8
N
E
S
W

LOCATION PLAN

STOP CONTROL
SOUTHBOUND
FILICE COURT
AT DONNICI DRIVE
CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED	EXISTING
● TRAFFIC SIGNAL	○ TRAFFIC SIGNAL
◗ STOP SIGN	⊃ STOP SIGN
▼ YIELD SIGN	▽ YIELD SIGN

SCALE	DATE
NOT TO SCALE	2002-06-03

REFERENCE FILE NO: **TOE02102**

CITY WIDE IMPLICATIONS

4.11

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS & ENVIRONMENT

Transit Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager
Date:	May 28, 2002	**Prepared by:**	Don Hull 905-679-7301 Paul Thompson 905-679-7304

SUBJECT: **University Pass - McMaster Graduate Students Association (TOE02100) -- (City Wide)**

RECOMMENDATION:

That staff be authorized and directed to enter into a Universal Bus Pass agreement with the McMaster Graduate Students Association, under terms and conditions consistent with those of the agreement with McMaster Students Union, for the 2002-2003 academic year.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

A primary mandate of the Transit Program is to undertake new initiatives that will result in new public transit ridership. In the course of ongoing dialogue with post-secondary student associations at McMaster University, Redeemer University/College, and Mohawk College in regard to a Universal Bus Pass program, Transit staff discussed potential terms and conditions of such a pass with the McMaster Graduate Students Association (GSA). A referendum was proposed by the GSA executive, and this was held on March 18, 2002 with a decided majority of participating GSA students voting for acceptance. The proposed terms and conditions are the same as those maintained under agreement between the City and the McMaster Students Union (MSU) for under-graduate students, with two basic exceptions:

- The academic year for GSA students is primarily a twelve month term, September 1 to August 31; whereas the academic year for MSU students is an eight month term, September 1 to April 30; and
- The price for GSA students would reflect the twelve month academic year, and will be set at 1.5 times that of the current cost of the HSR Monthly Bus Pass, or $91.50 for the academic year; whereas the price for MSU students is set at the current cost of the HSR Monthly Bus Pass, or $61 for the academic year.

It is expected that about 1,500 full-time McMaster Graduate Students Association (GSA) students will be enrolled, with expected net annual revenues of $135,000; current revenues from GSA students are estimated to be $105,000.

It is expected that trips made by GSA students will increase significantly, but there is no comparable program data which allows an informed estimate. Should GSA students travel at the rate of use by MSU students, about thirteen trips per month per registered student, they will take about 234,000 annual trips. Current annual trips by GSA students are estimated to be about 94,000, but due to the nature of the GSA program, it is expected that GSA students will travel at a lesser rate than that of MSU students.

The term of the contract with the GSA will be for one year, which will bring it into line with the MSU contract; each will be renewed during 2003. This approach will allow staff to determine the longer-term impact of this program on service requirements in the University transit corridor. There is a significant potential for load problems in and out of the McMaster campus as a result of this program addition, although this cannot be substantiated until some experience with the GSA student travel patterns is gained. It is likely that most load impact during the months of May through August can be met with current levels of service; however, during the months of September through April, additional peak service hours on the University route may become necessary. Such service increase may be accommodated within the 2002 Transit budget, but the increase in trips may be such that additional peak vehicle resources are required. Staff will report back to Council in co-ordination with the 2003 City budget cycle.

BACKGROUND:

The 2001 Transit Business Plan identified expansion of the universal bus pass program concept as a desirable initiative, with a stated goal of “concluding further agreements which contribute positively to both the Corporation and the community.”

Transit staff has previously negotiated with a number of stakeholder groups at McMaster University on the concept of expanding the successful undergraduate pass program. The GSA has had a resurgence of interest from its membership in the universal pass program, and approached City staff to initiate a referendum and request to Council for inclusion in the program.

ANALYSIS OF ALTERNATIVES:

The proposal is consistent with the City approach to other post-secondary student groups, and as such, there is no clear alternative. Should Council reject this proposal, the GSA students will pay for Transit as adults, at the current full fare rates.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

This proposal has no staffing and legal implications.

The immediate financial implication of the proposal may be expenditures, within current budget, on service hours to meet program demand. The longer term financial implication may be a requirement to add peak vehicles and substantial service hours beyond current budget, but this cannot be immediately determined and will require a further report to Council within the 2003 City budget cycle should current service prove insufficient to meet demand.

POLICIES AFFECTING PROPOSAL:

This proposal is modelled on the established agreement and bus pass program the City maintains with the McMaster Student's Union, and maintains a consistent approach in dealing with the different student associations.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In the preparation of this report, staff consulted with the McMaster Graduate Students Association.

CITY STRATEGIC COMMITMENT:

The Official Plan advocates that the public transit program will allow opportunities to generate 100 trips/person/year.

This proposal meets several strategic goals related to Vision 2020 by reducing traffic and parking pressures in the area of McMaster University through increased use of public Transit.

AFFECTS
WARD 2

CITY OF HAMILTON

4.12

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager
Date:	May 29, 2002	**Prepared by:**	Leanne Ryan Extension 5925

SUBJECT: **Two-Way Conversion of James Street North and John Street North - Traffic By-law Amendments (TOE02109) - (Ward 2)**

RECOMMENDATION:

(a) That John Street North from Main Street to Barton Street remain as a truck route for northbound vehicles only and that southbound heavy vehicle traffic be prohibited; and,

(b) That eastbound right turns on red be prohibited at all times of the day from King William Street to John Street North; and,

(c) That the designated northbound right turn lane on John Street North at Barton Street be removed; and,

(d) That the west curb lane of John Street North at King Street (north branch) be designated as a southbound right turn lane; and

(e) That the eastbound no left turn on red prohibition be removed from King William Street to John Street North; and,

(f) That northbound right turns on red be prohibited at all times of the day from James Street North to Barton Street; and,

(g) That the existing southbound no left turn on red prohibition from James Street North to Wilson Street be removed; and,

(h) That the existing southbound no left turn on red prohibition from James Street North to Main Street East be removed; and

(i) That the existing westbound no left turn on red prohibition from King Street (south leg) to James Street North be removed; and,

(j) That an appropriate by-law to amend City of Hamilton Traffic By-law 01-215 be passed and enacted.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

The traffic by-law amendments presented in this report are necessary to implement the previously approved two-way street conversions on James Street North from Main Street to Murray Street and John Street North from King Street to Strachan Street East.

To ensure that eastbound traffic on King William Street does not interfere with the southbound flow of emergency vehicles from the John Street station, it will be necessary to prohibit eastbound right turns on red from King William Street to John Street North. Motorists cannot perform this manoeuvre now, therefore no inconvenience to the travelling public will result.

John Street North between Main Street and Barton Street is a designated truck route. It is recommended that the heavy vehicle flow continue in a northbound direction to maintain the continuity of the existing system. Permitting heavy vehicle usage southbound on John Street North would increase the volume of trucks on the road, and would encourage illegal heavy vehicle truck use on King Street in the downtown core. The proposed by-law amendment designates the northbound lanes of John Street between the south leg of King Street and Barton Street as lanes designated for use by heavy vehicles.

There are existing by-law prohibitions that are only appropriate with one-way traffic flow, such as specific lane use designations or turn restrictions. These regulations are not required or are redundant with two-way operations. The proposed by-law amendments are considered "housekeeping" in this context. Implementation of these by-law amendments will be co-ordinated with the two-way conversion project.

BACKGROUND:

The two-way conversions of James Street North and John Street North are described in detail in Transportation Services Committee Report RDS00079 and the Downtown Transportation Master Plan Environmental Assessment ~~Committee of the Whole report~~. The proposed by-law amendments will be undertaken in conjunction with the two-way conversion project.

ANALYSIS OF ALTERNATIVES:

The recommended by-law amendments are required to implement the conversion project and reflect the proposed intersection traffic flow, pavement markings and traffic signal operation. Without these changes, the operation after conversion would be less efficient and potentially confusing to motorists.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds have previously been allocated as a Capital Budget item for the two-way conversions.

POLICIES AFFECTING PROPOSAL:

The study and implementation of the James Street North and John Street North two- way conversions has been evaluated in conjunction with the Downtown Transportation Plan and the Downtown Secondary Plan.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The turn regulations for John Street North, near the Central Fire Station, were discussed with the Fire Department.

CITY STRATEGIC COMMITMENT:

As discussed in the previously submitted Downtown Transportation Master Plan Environmental Assessment report, converting James Street North and John Street North to provide two-way traffic flow will slow vehicular traffic and improve way-finding which may make the area more attractive to pedestrians and businesses. Slower traffic may mean fewer and less severe collisions, but this may be negated by an increase in collisions due to more vehicular turning movements and resultant conflict points.

Attached: By-law and Key Map

BILL NO.

City of Hamilton

BY-LAW NO. 02-

To Amend:

By-law No. 01-215

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (One Way Streets) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"John	Northerly	Strachan	Burlington"

2. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E " thereof the following item, namely:

"King William	Easterly	John	Anytime"

and by adding to Section "G" thereof the following item, namely:

"James Street	Northerly	Barton	Anytime"

3. Schedule 11 (No Left Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "E" the following item, namely:

"King William 79-39	Eastbound	John	Anytime"

And by deleting from Section "G" the following items, namely:

"James Street	Southbound	Wilson	Anytime
James Street	Southbound	Main	Anytime
King Street (South Leg)	Westbound	James	Anytime"

4. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" the following item, namely:

"John	30 m south of Burlington and Burlington	West	Anytime	Northerly to Westerly
John	30 m north of Burlington and Burlington	West	Anytime	Southerly to Easterly and Southerly to Westerly

And by adding to Section "G" the following item, namely:

"John	30 m north of King (north branch)	West	Anytime	Southerly to Westerly"

And by deleting from Section "G" the following item, namely:

"John	100 ft. south of Barton and Barton	East	Anytime	Northerly to Easterly"

5. Schedule 27 (Truck Routes) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "E" the following item, namely:

"John Street	**Main Street to Barton Street**	**Anytime**

And by adding to Section "E" the following item, namely:

"John Street	**Main Street to King Street (south leg)**	**Anytime"**

6. **Schedule 33 (Designated Truck Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereto the following item, namely:**

"John Street	**Second lane from the east curb lane**	**King Street (south leg) to Barton Street**	**Anytime**
John Street	**East curb lane**	**King Street (south leg) To Cannon Street**	**Anytime"**

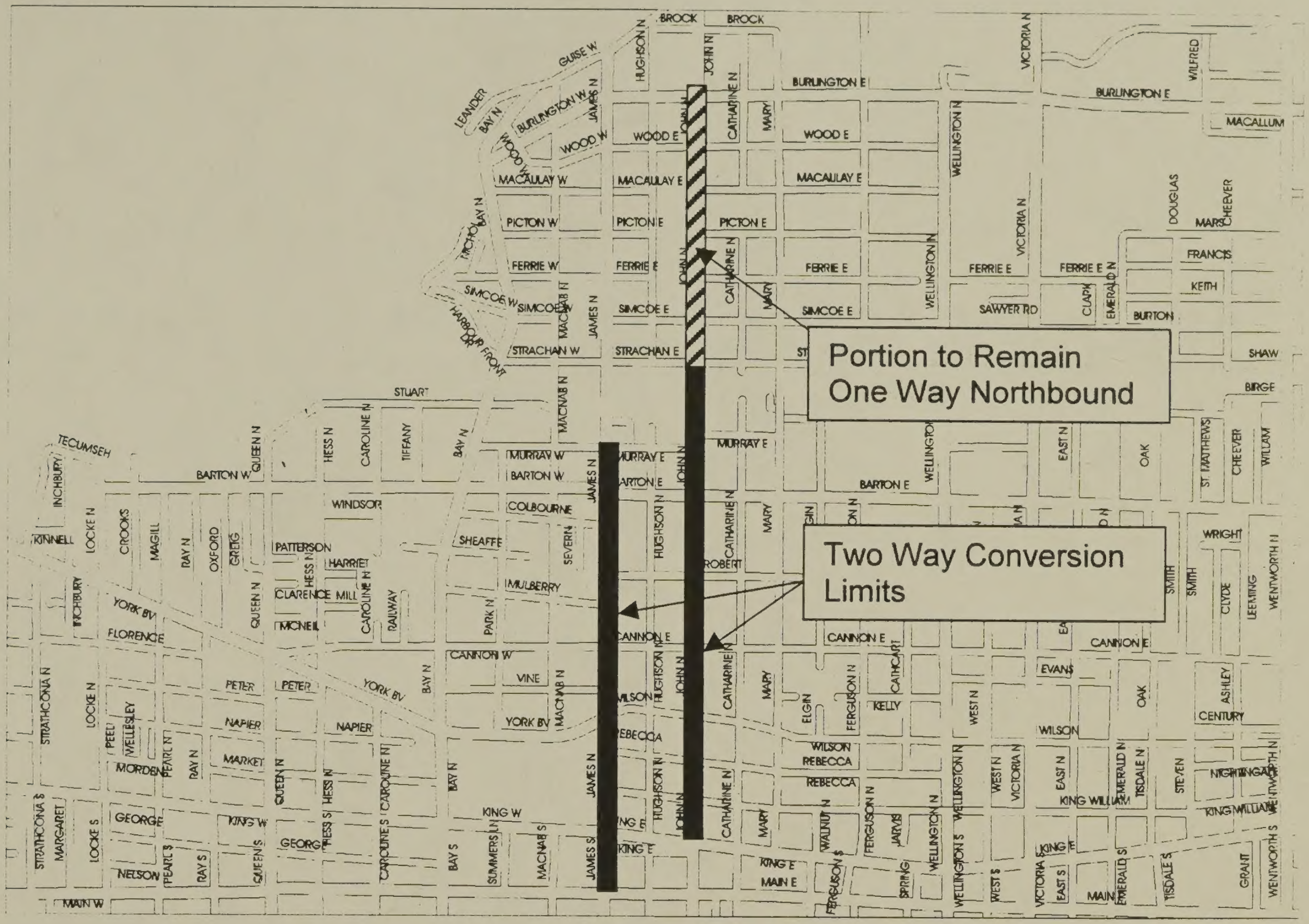
7. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this day of , 2002

MAYOR

CITY CLERK


Portion to Remain One Way Northbound
Two Way Conversion Limits
BROCK
GUISE W
LEANDER
BAY N
BURLINGTON W
WOOD W
WOOD E
JAMES N
HUGHSON N
JOHN N
CATHARINE N
MARY
BURLINGTON E
WELLINGTON N
VICTORIA N
WILFRED
MACALLUM
MACAULAY W
MACAULAY E
PICTON W
PICTON E
FERRIE W
FERRIE E
SIMCOE W
SIMCOE E
HARBOUR FRONT
STRACHAN W
STRACHAN E
SAWYER RD
CLARK
EMERALD N
BURTON
DOUGLAS
MARS
CHEEVER
FRANCIS
KEITH
SHAW
BIRGE
STUART
TECUMSEH
INCHBURY
QUEEN N
HESS N
CAROLINE N
TIFFANY
MACNAB N
MURRAY W
MURRAY E
BARTON W
BARTON E
EAST N
OAK
ST MATTHEWS
CHEEVER
WILLIAM
WINDSOR
COLBOURNE
KINNELL
LOCKE N
CROOKS
MAGILL
RAY N
OXFORD
GREIG
PATTERSON
HARRIET
SHEAFFE
SEVERN
ROBERT
WRIGHT
WENTWORTH N
SMITH
CLYDE
LEEMING
YORK BV
FLORENCE
CLARENCE
MILL
MCNEIL
RAILWAY
MULBERRY
PARK N
CANNON W
CANNON E
STRATHCONA N
PETER
VINE
WILSON
EVANS
ASHLEY
CENTURY
PEEL
WELLESLEY
NAPIER
ELGIN
FERGUSON N
CATHCART
KELLY
WEST N
MARKET
MORDEN
PEARL N
REBECCA
NIGHTINGALE
KING WILLIAM
TISDALE N
STEVEN
STRATHCONA S
MARGARET
LOCKE S
GEORGE
KING W
KING E
WALNUT
JARVIS
WELLINGTON S
MAIN E
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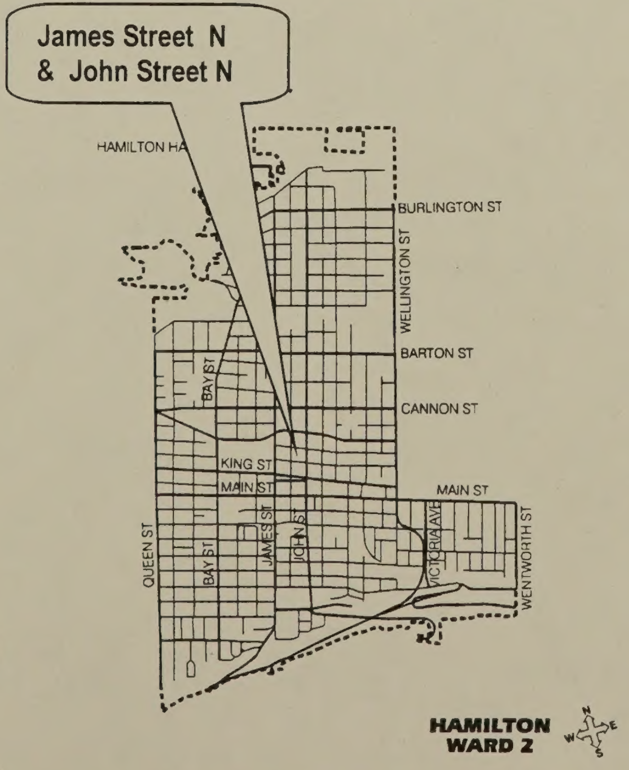
NELSON
PEARL S
RAY S
QUEEN S
HESS S
CAROLINE S
BAY S
SUMMERS LN
MACNAB S
JAMES S
FERGUSON S
SPRING
WEST S
VICTORIA S
EAST S
EMERALD S
TISDALE S
GRANT
WENTWORTH S

KEY MAP


James Street N
& John Street N
HAMILTON HA
BURLINGTON ST
WELLINGTON ST
BARTON ST
CANNON ST
BAY ST
KING ST
MAIN ST
MAIN ST
QUEEN ST
BAY ST
JAMES ST
JOHN ST
VICTORIA AVE
WENTWORTH ST
HAMILTON
WARD 2
N
E
S
W

LOCATION PLAN

Conversion of James Street North and
John Street North to Two Way Operation

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

▨ One Way Portion to Remain

■ Two Way Conversion Limits

SCALE	DATE
NOT TO SCALE	**2002-06-03**

REFERENCE FILE NO: **TOE02109**

SECTION 5

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

5.1

CITY MANAGER'S OFFICE

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Robert W. Robertson, Ph. D., AICP, MCIP, City Manager
Date:	June 4, 2002	**Prepared by:**	R. W. Robertson

SUBJECT: **Business Plan and Budget: Process and Schedule CM02-003 (City Wide)**

RECOMMENDATION:

1. That Council adopt a formal business plan process to serve as the framework for budget deliberations as outlined in this report including 2003 budget guidelines and schedule; and

2. That funding support for this project be authorized to a maximum of $100,000, to be funded from the Enterprise Fund Reserve.

Robert W. Robertson, Ph. D.
City Manager

EXECUTIVE SUMMARY:

Council has directed staff to explore a different process to ensure more timely information with respect to budgets. By way of background, Appendix I provides observations and comments on the recently completed 2002 budget deliberations. In general, concerns were raised by Council about the timing of the budget process and level of detail supplied by staff. To some extent the current system is a product of recent structural changes including amalgamation. However, a revised system would, in staff's view, be both timely and appropriate.

The intent of a new system would be to require a more fundamental analysis of City programs and projects; and, to properly align available resources to the priorities of Council (see Appendix II). On a practical level, this system would be designed to deliver a multi-year capital and operating business plan(s) and budgets which would strategically align City functions and activities as outlined in Appendix II. In addition, performance measures for all service areas should be developed as part of this system to ensure best value in the delivery of services. The schedule to deliver this project to

Council for consideration would see a Fall 2002 timeframe for deliberation of the 2003 budgets and business plans (see Appendix III).

Further, staff suggest Council consider a series of guidelines (Appendix IV) to structure the development of the business plans that will be prepared for each service area. The financial guidelines are aimed at addressing the impacts of inflation; and, providing additional capacity for capital works replacement as the City moves to a pay-as-you-go system.

BACKGROUND:

Business plans in the public sector are not a new concept. Many senior levels of governments have used business planning as a systematic, rational method to assist in the allocation of resources. In Ontario, Provincial Ministries are required to develop business plans including detailed performance measures on a multi-year cycle. Similarly, Alberta and more recently British Columbia use this type of system.

At the local government level, there is an increasing move towards a business planning methodology. For example, Calgary AB, Winnipeg MB, York Region ON and more recently, Seattle WA, have successfully applied business planning principles.

Fundamentally, business planning requires a number of elements.

Focus – It is important that Council provide a clear focus with respect to the direction of the organization. In that regard, Council has recently adopted a Corporate Strategic Plan for the City of Hamilton outlining the priorities of the organization (see Appendix V). For example, Official Plans; Transportation Master Plans; Parks and Recreation Plans; Affordable Housing Plans; and similar documents.

Strategy – Most local governments produce a number of high level policy documents to provide guidance with respect to specific service areas. Frequently, these documents do not tie well together and they are very seldom developed with a link to budgets. A more comprehensive approach which links these documents one-to-another and to the budget is increasingly seen as a more realistic methodology. This type of approach is generally termed business planning. On a practical level it is important to develop business planning within an organization to ensure the unique context of that organization is reflected in the process and product. To tailor this exercise properly to the City of Hamilton, training sessions will be initiated using external consultants and "best practice" organizations as models. However, it is important to note that in the case of Hamilton, there are many well-trained, competent qualified staff. These individuals will develop the detailed template based on the direction and framework provided by Council. External consultant assistance for this exercise should be minimal.

Results – A key element of a business planning system is the identification of results of programs and program expenditures. These key performance indicators are important to ensure that tax dollars are expended in the most effective and efficient manner. In Ontario, the provincial government has outlined a series of measures that local governments must report on regularly. Business plans require the use and public reporting of key performance measures and the development of the business plans in

Hamilton should ensure the indicators as well as other measures of performance required by the Province are identified and used in our system.

In summary, business planning is simply a structured system to align strategic planning, programs and service delivery with resources (fiscal and human). In Hamilton, many pieces of a business planning system are already in place including the recently adopted Mission, Vision and Values (Corporate Strategic Plan). It is envisaged that the use of business planning could be initiated immediately and refined over the next 2 to 3 years, based on experience.

ANALYSIS OF ALTERNATIVES

The City could retain the current system; however, as noted there are timing and information issues previously identified by Council that should be addressed using a business planning or similar framework.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial requirements (if necessary) for external consultant assistance will be identified within current budgets. A business planning steering committee drawing from staff across the organization will be established to guide key elements such as training and timing. This committee will incorporate staff from a number of departments at a variety of levels.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Reviewed and input provided by Corporate Management Team.

CITY STRATEGIC COMMITMENT:

Process supports corporate values of fiscal accountability, leadership, teamwork and goals “a city where people comes first – providing full information about services, their costs and how well they meet clear performance targets”; “city that spends wisely and invests strategically” – best value for taxpayer dollars and increased efficiency of city government.

Appendix I

2002 BUDGET NOTES/OBSERVATIONS

1. Timing – should be in Fall for full fiscal year impact

2. Economic Overview - Global/National/Regional economic factors should be presented to Council at start of budget deliberations

3. Development Overview – building permits/development trends are important local indices and should be presented by staff

4. Financial Status Review – prior year:
    - corporate actuals
    - reserve status
    - other financials

5. CMT review of budget to ensure corporate perspective and alignment to Corporate Strategic Plan

6. Financial information to contain :

Prior Year (01)			Proposed Year (02)
Budget	Actual	Variance (%)	

7. Financial Information must be multiple year – 3 years – (operating/capital combined) (Note: There is a current ten-year capital plan which will continue)

8. Business Plan required to critically assess all programs; service delivery options; service levels

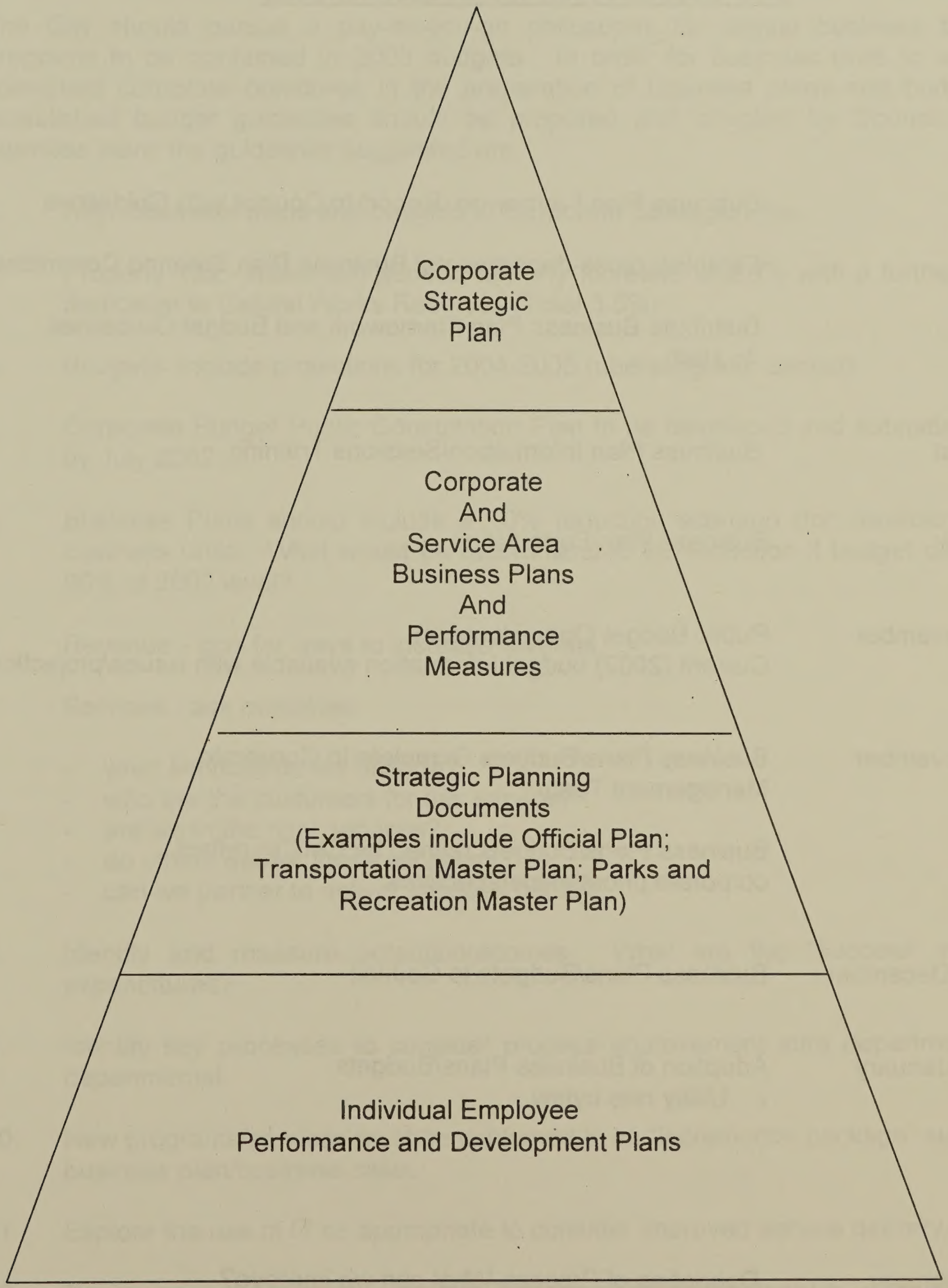
9. Work Plan – provide information on past year success and coming year work program

10. Develop Performance Measures (trend line) "Key Indicators" to assist in continuous improvement

11. Quarterly Reports to Council By Service Areas – issues/monitor performance

12. Public Input – opportunities for public input into budget should be considered. Examples include open houses; phone line; e-mail and similar methods

Appendix II


Corporate
Strategic
Plan
Corporate
And
Service Area
Business Plans
And
Performance
Measures
Strategic Planning
Documents
(Examples include Official Plan;
Transportation Master Plan; Parks and
Recreation Master Plan)
Individual Employee
Performance and Development Plans

Appendix III

Tentative
2003 Business Plan and Budget Schedule

2002

June	Business Plan Framework Report to Council with Guidelines
June	Establish cross-departmental Business Plan Steering Committee
June-July	Distribute Business Plan Framework and Budget Guidelines to staff
June-August	Business Plan Information/Sessions Training
July-October	Business Plan Formulation
October-November	Public Budget Open House(s) Current (2002) budget information available with issues/projections
October-November	Business Plans/Budgets Complete to Corporate Management Team Business Plans/Budgets refined by CMT to reflect corporate priorities/perspectives
November-December	Business Plans/Budgets to Council
December-January	Adoption of Business Plans/Budgets • Utility rate bylaw

2003

January-February	Debriefing of Process-What can we improve?
February-March	Review Corporate Strategic Plan. Development of 2004 budget guidelines.

Appendix IV

2003 Business Plan Budget Guidelines

The City should pursue a pay-as-you-go philosophy for capital business tax reduction programs to be contained in 2003 budgets. In order for business units to work towards consistent corporate objectives in the preparation of business plans and budgets Council established budget guidelines should be prepared and adopted by Council. For 2003, business plans the guidelines suggested are:

1. Align business plans and budgets to Corporate Strategic Plan.
2. Property Tax - maximum general tax levy increase of 2.0% with a further 1.5% to be dedicated to Capital Works Reserves (Total 3.5%).
3. Budgets- include projections for 2004-2005 (operating and capital).
4. Corporate Budget Public Consultation Plan to be developed and submitted to Council by July 2002.
5. Business Plans should include a 10% reduction scenario (for consideration) for all business units. What would be recommended for reduction if budget only funded to 90% of 2002 level?
6. Revenue - look for ways to increase revenue.
7. Services - ask ourselves:
    - what services do we provide?
    - who are the customers for this service?
    - are we in the right services?
    - do others deliver these services?
    - can we partner to deliver services better?
8. Identify and measure outputs/outcomes. What are the "success" measures of expenditures?
9. Identify key processes to consider process improvement intra departmental or inter departmental.
10. New programs/services must be contained in an "incremental package" supported by a business plan/business case.
11. Explore the use of IT as appropriate to consider improved service delivery.
12. Organizational structure – assess the organizational structure –is it appropriate to support the function /services being delivered?

13. External agencies which request Council funding should be encouraged to undertake a business plan process.

14. Progress on development of business plan framework (template) to be reported to Audit Committee regularly.

15. Corporate Perspective – ensure business plans promote a corporate agenda, consistent standards and techniques/tools for monitoring and evaluating corporate performance.

Appendix V

Our Vision

The City of Hamilton's vision is the shaping force for all of its policies, actions, behaviours and services. It states:

The City of Hamilton is a safe, healthy, sustainable community and a great place in which to work, live and play, that offers residents and businesses growth and opportunity.

It is a city of diverse communities, led by Council, which together with staff, spends wisely and governs in an open and accessible manner.

Our Mission

The mission of Council and staff is to work together to create and implement strategies necessary to turn the vision into reality.

Our Values

The vision, mission and goals of the City of Hamilton will be guided by 10 core values.

Fiscal Accountability: to increase the efficiency of our city government through fiscal responsibility and prudence

Leadership: in our thinking and in our actions; encouraging individual and team initiatives that exceed expectations, and advocating what we believe in

Innovation: to think broadly and long-term; to balance both city-wide and neighbourhood responsibilities; to do more with limited resources

Integrity: to demonstrate honesty and sincerity in all of our dealings, upholding only the highest ethical principles; to provide open and transparent communications to create informed opinion

Respect: for the needs of all residents, for all viewpoints, and for the diversity of our community

Compassion: sensitivity to, and meeting the requirements of all residents with special needs and interests, and those less fortunate

Commitment: to fulfilling the vision and goals of the city

Teamwork: working in full cooperation and a spirit of collegiality with staff, Council, residents, businesses and external partners

Sustainability: to contribute to a balanced community, economy and environment; to minimize the footprint of our activities and to do no harm

Excellence: in our service delivery, through a quality workforce; and to show pride in our efforts and the community in which we live and work

Our Goals

Our strategic plan shows how we want to build a city that works. We want Hamilton to be:

1. A City of Growth and Opportunity

To secure a future of growth and opportunity for the City of Hamilton, Council commits to focus all available resources on economic development. Specifically:

a) Lower Commercial & Industrial Taxes

Council will lower commercial and industrial taxes such that the city's tax ratios will reach provincial thresholds in 3 years.

b) Investment in Infrastructure

Council will pursue investment in strategic infrastructure necessary to attract and maintain business.

c) Developing Partnerships for Hamilton with Other Levels of Government

Council will urge its government partners to take the steps necessary to support the city in its efforts

d) Attracting and Retaining Business

Council will explore the best methods and quantity of resources necessary to attract And retain business.

e) City-wide and Balanced Investment

Council will pursue initiatives at the airport, waterfront, and downtown areas to ensure the benefits of economic development are felt city-wide.

f) Keeping Hamilton Connected

Council will look beyond the borders of Hamilton to ensure that it is connected to the regional economies of Niagara, Western New York and the GTA.

2. *A Great City in Which to Live*

To ensure that Hamilton remains a great city, Council commits to providing quality services that residents can rely on and to support the community's quality of life.

a) Providing Quality Community Services

Council will work to provide quality community services, honouring community identity and varying needs and circumstances.

b) Supporting People in Need, with Care

Council will seek to work with other levels of government and the community to ensure that people in need are supported and cared for.

c) Putting Our Best Face Forward

Council will commit to working with the community to heighten awareness that littering and graffiti hurt our efforts to be a great city.

d) Walk this Way – A City of Trails
Council will partner with the Hamilton Conservation Authority and other community agencies to integrate and promote a city-wide trail system.

e) Young Hamiltonians are Part of Being Great
Council will commit to building a new city that makes a place for its best and brightest – our children and grandchildren; young people need to feel that they have a role in making our city great.

f) VISION 2020 – A Sustainable City
Council is committed to VISION 2020 and will partner with ACTION 2020 in the implementation of its strategies.

g) Arts & Culture

Council is committed to promoting the development of arts, culture and heritage throughout the City.

3. A Healthy, Safe and Green City
To ensure the quality of life of Hamilton residents, Council commits to work with our government partners to improve our natural environment, the safety of our community, and the health of our residents.

a) Meeting Our Statutory Health Obligations
Council will take steps to ensure that the public health department is adequately resourced to meet all statutory obligations.

b) Cleaning Up the Harbour
Council will work with government, the private sector, and the community to work to clean up the Harbour.

c) Investing in Safe Water for Today & Tomorrow
Council will commit to measures that will help ensure reliable and safe sources of drinking water.

d) Reducing Waste Going to Landfills
Council will commit to an aggressive waste diversion rate to increase the lifespan of our landfill and ultimately reduce costs, both financial and environmental, for taxpayers.

e) Leading the Way in Environmental Studies & Management
Council will work with government, academia, the community and private sector to study issues related to our natural environment, provide valuable advice and put forward action plans.

f) Public Safety for the Community, with the Community

Council will work for and with the community to improve the safety of all residents.

g) Improving Air Quality to Help Us Breathe

Council will work with government, community stakeholders and the private sector in the pursuit of strategies aimed at cleaning our air.

h) More Trees Please

Council will commit to supporting efforts to make our city green by pursuing an urban forestry strategy.

4. A City Where People Come First

To harness the energy of the citizens of the new City of Hamilton and to fulfill our obligation to be open and accessible, Council commits to communicate clearly and effectively with the public; provide full information about services, their costs and how well they meet clear performance targets.

a) Annual Reports on the State of the City

Council will publish an annual report detailing the performance of the City.

b) Itemized Tax Bills

Council will provide taxpayers with a clear account of how their money is being spent with an itemized property tax bill.

c) Benchmarks & Performance Measurement

Council will work with staff to develop a list of key performance indicators to track the progress of the City of Hamilton against objective benchmarks.

d) New Opportunities for Public Input & Volunteerism

Council will pursue new and innovative opportunities to enable more people to share their views and contributions to the city, Council and its services.

5. A City That Spends Wisely and Invests Strategically

To get the best value for taxpayer dollars, and to ensure that we have the financial resources available to invest in our economic development and other community priorities, Council commits to increase the efficiency of our city government.

a) Maintain Service Levels

Except where mandated by statutory obligation or to address priority infrastructure deficiencies, Council will maintain, but not increase, service levels until its economic development program is complete.

b) Best Practices – Best Value

Council will pursue best practices to lower the cost of government and ensure best value in service delivery. It is recognized that best value is not just a calculation of dollars: it also includes accountability, service quality, accessibility and other community priorities which must be taken into account as per Council policy.

c) Smart Amalgamation

Council will complete the amalgamation in a manner consistent with its commitment to maintaining service levels and seeking best value set out in (a) and (b), while honouring community identity.

6. A City of Choice for High Performance Public Servants
Council commits to value Hamilton civic employees and to work with the management team to create the conditions where all employees can excel in their service to the community.

a) Employer of Choice
Council will support the administration in its efforts to:
- Provide employees with challenging, rewarding, enjoyable and fulfilling work, And;
- Assist staff in balancing work with home and personal commitments through supportive human resource policies and management approaches

b) Learning Organization
Council will support the administration in its efforts to foster life-long learning and career development for staff.

c) Leadership
Council will support the administration in its efforts to develop leadership at all levels in the organization, and to capitalize on its leadership capabilities to cultivate organizational energy, enthusiasm, and a shared sense of purpose and direction.

d) Business and Service Excellence

Council will support the administration in its efforts to provide excellence in public service, to be achieved through an integrated approach to planning and performance management, optimal use of technology, well-trained staff, and effective management of change

CITY WIDE

CITY OF HAMILTON

5.2

COMMUNITY SERVICES DEPARTMENT
Culture and Recreation

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Barry Coopersmith, General Manager
Date:	May 24, 2002	**Prepared by:**	Patti Tombs x4693

SUBJECT: **Community Services Parks, Culture and Recreation Master Plan (CS02050) (City Wide)**

RECOMMENDATION:

(a) That Council receive the Parks, Culture & Recreation Master Plan attached as Appendix A to Report CS02050;

(b) That Council endorse the general direction embodied in the Parks, Culture & Recreation Master Plan and its use as a basis for decision making over the next ten years;

(c) That Council endorse the Mission, Goals, Objectives, and Mandate (Section 5.1.1 - 5.1.4), attached hereto as Appendix B;

(d) That Council endorse the Process for Setting Priorities and Evaluation (Section 5.2.1 - 5.2.3), attached hereto as Appendix C;

(e) That Council endorse the Planning Hierarchy/Model and Modes of Use (Section 5.3.1 - 5.3.2); attached hereto as Appendix D;

(f) That Council endorse the fifteen (15) Strategic Directions (Section 6.1 - 6.15), attached hereto as Appendix E;

(g) That Council refer the Plan to staff on the understanding that:

- i) Staff will implement any of the recommendations that can be implemented within existing policy and budgets;
- ii) Staff will refer any recommendations that have policy implications to Council for its consideration in future staff reports;
- iii) Staff will refer any recommendations with budget implications into the annual business planning process and annual budget process for Council's consideration within those contexts;

Barry B. Coopersmith, General Manager
Community Services

EXECUTIVE SUMMARY:

The purpose of the Master Plan is to establish a collective vision for parks, culture and recreation in the new City of Hamilton, and to set a comprehensive framework inclusive of strategic directions, implementation strategies, policy implications and financing strategies. The Master Plan provides overall direction and guidance for making decisions about public parks, culture and recreation services in Hamilton for the next 10 years.

The Master Plan establishes clear annual processes for staff and Council to work together using Mission, Goals and Objectives to set priorities, determine budgets, evaluate services and make decisions about the most effective use of limited available public resources.

The Master Plan embraces the philosophy of "public goods" whereby the City will use leisure services as a vehicle to achieve worthwhile goals and objectives that result in benefits to all residents. This means that decisions to support initiatives or expend resources (including tax dollars) is done with careful consideration as to the extent to which the initiative provides access and opportunities for all residents.

The Master Plan further endorses the incorporation of a "community development" model or approach to the provision of services. This approach positions the City as a broker or facilitator in the provision of services, with responsibility for identifying and ensuring that community needs are met. This approach assumes that identifying and meeting community needs is best accomplished through collaborating and facilitating linkages with other providers, capitalizing on existing strengths, sharing responsibilities, maximizing resources, and proactively helping others to help themselves in an effort to achieve community capacity.

BACKGROUND:

In June 2001 Council approved the Terms of Reference for the development of a Parks, Culture and Recreation Master Plan in support of a Transition Board recommendation.

The project process included extensive public and stakeholder input through a variety of consultation opportunities. The key tasks and timelines for the project are as follows:

Timeline	Key Task
June 2001	Terms of reference approved by Council.
July 2001	Project tendered via a Request for Proposal process.
August 2001	Proponent interviews. Contract awarded to PERC.
September 2001 – January 2002	Stakeholder interviews. Review of background material, demographic analysis, inventory of resources, analysis of delivery systems.

Timeline	Key Task
October 2001	Council Briefing. Staff Briefing. Public Event to provide project overview including identification of input opportunities.
November 2001	Council & Senior Staff Workshop. Decision making framework discussion. Public Event to receive input on current issues and future direction
January 2002	Public survey distributed to 2,100 homes.
Feb. – March 2002	Analysis of leisure trends. Development of benchmarking framework. Analysis of public survey results.
April 2002	Council Briefing. Public Event to present public survey results and draft strategic directions.
May 2002	Council Briefing. Public Event to present the draft plan.
June 2002	Presentation of plan to CSMT, CMT, COW and Council.

ANALYSIS OF ALTERNATIVES:

Non-acceptance of the goals, objectives and strategic directions within the Master Plan will result in continued disparity in the approach to and delivery of services to residents throughout the new City. Furthermore it will impede the City's opportunities to build more effective relationships with community partners, and limit staffs' ability to present recommendations to Council that are based on a strategic framework that carefully considers the best expenditure of limited resources.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: Implementing the Master Plan over the next ten to fifteen years will involve a number of decisions having significant financial implications. However, the recommendations herein to receive the Master Plan, endorse it as a basis for decision making, and refer to staff, have little or no financial implications in themselves. All significant financials in the plan would be brought forward to Council in subsequent budget proposals and staff reports that deal with specific policy changes.

The overall financial implications of implementing the Master Plan are quite broad. In general they involve significant capital investments over the next ten years to better position the City (in terms of its infrastructure and services) to keep operating costs under control in the long term. The capital investments therefore are investments in sustainability. Those investments would be made by City taxpayers, by other public sector, non-profit sector and private sector partners, by the developers, and by the users. While the City's portion would be quite substantial, it cannot be quantified at present. Annual fixture savings in operating costs would assist in returning some of that capital investment to the public purse, but the portion of, or rate of that return, cannot be estimated at present.

Staffing: The Plan does not recommend adding to the existing staff complement. The Plan does recommend that both the current staff roles and responsibilities be more clearly identified and communicated to the public and community partners. The Plan further recommends that staff responsible for speciality areas i.e. "special needs", be confirmed.

By their very nature, "community development" approaches to service provision necessitate increased collaboration internally between City departments, and externally with community partners. This shift from the City's involvement in direct delivery to one of consultation, collaboration and partnered service delivery will initially require significant time and effort and a reallocation of traditional staff priorities. Staff will need to be proactive in seeking out, establishing and facilitating working relationships with other providers.

Staff will also be required to exercise an enhanced skill set in areas such as facilitation, community consultation, contract management, negotiation skills etc. It is assumed that any identified deficiencies in current skills sets will be addressed through an on-going employee training and development program as part of the overall implementation process.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Throughout the project the consultants gathered a broad range of input via public meetings, stakeholder questionnaires, a public survey and one-on-one interviews with over 100 different interest groups. This consultation included representation from various age and interest groups such as:

- Community associations (e.g. Ancaster Community Committee).
- Service clubs (e.g. Waterdown District Lions Club).
- Neighbourhood groups (e.g. Gourley Park).
- The public sector (e.g. Hamilton Catholic District School Board).
- Private sector corporations (e.g. Dofasco).
- Not-for-profit organizations (e.g. Hamilton East Kiwanis Boys & Girls Club).

A complete list of those participating in the consultation process (including highlights of their comments) can be found in Appendix C of the report. Additional interviews were conducted with staff from:

- Culture & Recreation
- Parks
- Corporate Facilities
- Design & Construction
- Finance
- Corporate Communications
- Planning and Development
- Economic Development
- Social and Public Health Services
- Vision 20/20

The initial Master Plan Steering Team and subsequent Implementation Team included staff representation from Parks, Culture & Recreation, Planning & Development, Corporate Facilities, Finance and Design & Construction.

CITY STRATEGIC COMMITMENT:

The strategies and service objectives contained in the Master Plan are congruent with the City's Mission, Vision, Values and Goals and the theme areas of Vision 20/20 impacting positively on sustainable development as follows:

1. A City of Growth and Opportunity

All of the Strategic Directions position the City to provide opportunities for growth by making the City's amenities and infrastructure more cost effective and sustainable and to promote parks, culture and recreation assets for residents and tourists. These assets then become an effective vehicle for attracting new residents and businesses.

2. A Great City in Which to Live

All of the Strategic Directions contribute to making Hamilton a more attractive place to live, work and play increasing the quality of life for all residents.

3. A Healthy, Safe and Green City

Many of the Strategic Directions and recommendations contribute to the health and well being of Hamilton. One of the 2 goals in the plan specifically addresses citizen health and well being. One of the recommended principles on which parks, culture and recreation services should be based, is personal and public safety.

Some of the Strategic Directions and many of the recommendations focus on "greening" the City and ensuring the continued availability of natural and open space.

4. A City Where People Come First

All of the Strategic Directions address a process in which people come first. Thousands of citizens had input into this report and their needs and interests are reflected in the recommendations. The Strategic Direction focusing on a community development approach builds local community capacity and involves citizens in identifying and meeting their needs.

5. A City That Spends Wisely and Invests Strategically

The Strategic Directions emphasize the need to realign resources to make services more effective and sustainable. The entire Master Plan focuses on realigning resources to that end.

6. A City of Choice for High Performance Public Servants

The Strategic Directions which refer to a better Management Information System and those referring to a more cohesive policy framework will increase the quality of the work environment at the same time as they increase the effectiveness of public leisure services. The Master Plan will become a fundamental reference tool for developing staff work plans and objectives while providing clear direction to maximize performance.

Furthermore, successful implementation of the Master Plan will result in a few of the key impacts as noted:

Health Impacts

Improved personal and community health & well being through participation in active leisure.

- Enhance quality of life.

Social Impacts

- Renewed sense of community pride, spirit, culture and belonging.
- Increased collaborations with others to build on the capacity of individuals, community organizations, private and non-profit sectors to facilitate self-reliance.

Economic Impacts

- Increased promotion of Hamilton as a desirable place to work, live and play.
- Increased efficiencies and public good through the best investment of limited resources.

Environmental Impacts

- Protection of natural areas and development of interconnecting trails and corridors and access to the waterfront. Preservation of our natural & historic heritage.
- Use of alternative modes of transportation as a lifestyle choice resulting in individual and environmental benefits.

5. Setting the Direction

5.1 Decision-Making Framework

On November 28, 2001 members of Council and Senior Staff attended a workshop facilitated by the consultants. The group reviewed the planning process and fine-tuned some basic direction setting statements. They agreed to the following elements of a decision-making framework, which will guide leisure services in Hamilton in the Plan and for the foreseeable future. The elements were seen to be consistent with the City's corporate plans being developed in a parallel process. Those elements include an underlying rationale or Mission Statement, for Parks Culture and Recreation services, two Goals and twenty-three Service Objectives.

5.1.1 Foundation Statement

All our decisions about leisure services are anchored in the following underlying premise.

The City will use public leisure services as a vehicle in achieving worthwhile goals and objectives where such achievement clearly results in benefit to all citizens.

5.1.2 Goals

The following two goals add direction to and are consistent with the mission statement above.

To use leisure services to foster a sense of community identity, spirit, pride and culture. Recreation and cultural initiatives in The City of Hamilton can be used as a vehicle to connect local citizens more positively to their City and enhance their sense of comfort with it. Where such initiatives require City support, it will be considered in terms of the amount of public good created in relation to the cost to the taxpayers. The success of such initiatives will clearly benefit all citizens.

To use leisure services to foster growth of individuals to become the best that they can be. Cultural and recreation initiatives in Hamilton can and do help individuals to grow physically, emotionally, morally and creatively and help them to be as good as they can be. Where City support is needed to ensure such success, it will be considered within the cost/benefit framework referred to above. Healthier, more responsible citizens will clearly benefit the entire community.

5.1.3 Objectives

The following twenty-three service objectives are consistent with the two goals described above. (They may be considered as specific public leisure service categories for achieving the goals.) All City parks, cultural and recreational initiatives directed toward achieving the two goals could be categorized under one or more of these twenty-three objectives. There are both direct and indirect benefits. They contribute to the public good, economically, environmentally, personally and socially.

Sense of Community

1. ***To Encourage Special Events and Celebrations***
Special events (e.g. carnivals, fairs, and the likes) can be contributed to a feeling of community identity and spirit. Therefore, the municipality should be involved in supporting special events to the extent necessary to ensure promotion of this objective.

2. ***To Support Local Groups***
Local clubs, groups and agencies are and will be organizing and sponsoring leisure opportunities. The "people doing things for themselves" aspect of such groups is socially worthwhile and desirable. The City should support such groups in their efforts. Support may occur in a number of ways, including subsidized access to facilities, provision of public land, assistance in problem solving or help with promotion.

3. ***To Facilitate Spectator Exposure To Sporting Events***
Community identity, spirit and culture can be fostered through the environment generated by spectators at athletic events. In such events, sport can be closely linked with community identity and pride. Because of this, opportunities should be provided for spectator experiences at athletic events. The City may have a role to play in ensuring such opportunities exist.

4. ***To Facilitate Spectator Exposure To and Appreciation of the Arts***
Artistic endeavors (both performing and visual) represent one of the most significant aspects of developing a culture in any community. Through exposure to the arts, local residents should develop a better understanding and appreciation of the cultural aspects of a community.

5. ***To Facilitate Opportunities for Social Functions***
Because social functions are a valuable vehicle to use in developing community cohesion and identity, the City should strive to ensure that such opportunities exist.

6. ***To Protect and Enhance the Natural Environment***
The protection of natural aesthetic features, vistas and natural phenomenon and the provision of public access to such features will contribute to a greater understanding of and pride in the community and, therefore, contribute to an enhanced sense of community.

7. ***To Protect and Celebrate Our Heritage Resources***
The protection and celebration of the community's human history will connect current and future citizens more closely with the community.

8. ***To Beautify the Community***
The extent to which a community is seen by its residents as being visually pleasing is directly related to the potential for creating community identity, spirit and culture. Therefore, to make a community more beautiful is a worthwhile social objective worthy of City support if necessary.

9. To Support Family Oriented Leisure Opportunities
The family unit is an integral building block of community growth. Opportunities should be provided for families to pursue leisure as a family unit.

10. To Integrate Generations and Sub Groups Within Our Community
Community growth can be fostered through increased contact between people of varying age groups within the community. The more contact and interchange between seniors and younger adults and children, the greater the potential for community growth. Therefore, in the provision of leisure services, attempts should be made to provide such contact and interchange between seniors and younger residents with a view toward transmitting cultural heritage across the generations.

Community growth can further be fostered through an integrative mixing of various ethnic groups so that each better understands and appreciates the difference and strengths of the other. Multicultural recreation and cultural services can be used as a vehicle in making the community more cohesive.

Community growth can also be fostered by integrating various groups of people with special needs into mainstream programming. Whether individuals have physical, emotional or mental special needs, recreation can be used as a leveling and integrative force.

11. Economic Benefit Through Tourism
Tourists drawn to Hamilton for parks, culture or recreation activities leave behind money that stimulates the economy, which in turn benefits all residents.

Individual Growth

12. To Foster and Promote Fitness and Overall Well Being
Fitness, in this context, is used broadly as a synonym for wellness, and refers to mental and emotional, as well as physical fitness. The fitness level of every resident of the community should be increased at least to a pre-determined minimum level with opportunities available for progress beyond this point.

13. To Foster and Promote Pre-School Leisure Opportunities
An opportunity should exist for every pre-school aged child to participate with other children in a variety of leisure experiences, in order to:

- Expose the child to social settings
- Foster gross motor development
- Provide a generally happy and satisfying atmosphere where growth can occur
- Teach basic safety skills and attitudes
- Celebrate their natural creative tendencies

14. To Foster and Promote Basic Leisure Skill Development in Leisure Pursuits for School Aged Children

A wide variety of leisure pursuits in such areas as sport, performing arts, visual arts, outdoor nature oriented skills, and hobbies, should be identified, and basic skill level instruction in each should be provided for school aged children in order to:

- Provide exposure to skills which may form the basis for enjoying lifetime leisure activities
- Contribute to gross motor and fine motor physical development
- Provide social settings in which social, moral and emotional growth can be fostered
- Provide the basis for leisure education (i.e. the teachings of the benefits of and wise use of leisure time).

Other agencies (e.g. the school system) may provide skill instruction in some areas, with the City filling the gaps.

15. To Foster and Promote Advanced Leisure Skill Development in Leisure Pursuits for School Aged Children

Opportunities should be provided for those children who wish to further develop their interest and skills in a wide variety of leisure pursuits beyond the basic level.

16. To Foster and Promote Social and Leadership Opportunities for Teens

The maturing from youth to adult which occurs during teenage years is often a critical time in the life of an individual. It is also a time that individual difficulties may result in severe social problems. Hence, opportunities should be provided for teens to:

- Learn about themselves and how they will react to various social settings and pressures
- Develop positive social/emotional/moral skills, principles and convictions
- Develop positive leisure lifestyle patterns that will remain with them through adulthood.

17. To Foster and Promote Basic Leisure Skills in Leisure Pursuits for Adults

Opportunities should be provided in a wide range of leisure endeavors and hobbies for adults who wish to be exposed to such endeavors and learn some basic skills in each.

18. To Foster and Promote Advanced Leisure Skills in Leisure Pursuits for Adults

Opportunities should be provided for those adults who wish to further develop their interests or abilities in a wide variety of leisure pursuits.

19. To Foster and Promote Leisure Opportunities for Seniors

Opportunities should be provided for senior citizens to participate in the leisure activities of their choice in order to:

- Maintain overall fitness levels
- Maintain social contacts and continue to be involved in social environments
- Provide a continuing sense of worth and meaning of life through continuing personal growth

20. To Interpret the Environment

Opportunities should be provided for every local resident to learn about, understand, relate to and experience all aspects of his/her natural environment.

21. To Create Opportunities for Reflection and Escape from Daily Pressures

Often growth can occur through escape, reflection, contact with nature and relaxation in a serene natural environment. Because of this, opportunities should be provided for residents to experience nature.

22. To Educate Individuals About the Wise Use of Leisure Time

All residents should be generally educated as to the best use of leisure time and the benefits (e.g. growth and fulfillment) that accrue as a result.

23. Communication System

All residents should be made aware of the availability and access to leisure opportunities in their community. Improved communication with user groups and community service providers will enhance opportunities for individuals to participate and benefit from the services offered by those groups.

In order to achieve the above, the City will provide leadership and coordination where necessary. It may also provide services directly where no other agency is able or willing to provide the service and the need is great. The City will also monitor the infrastructure necessary for success in achieving the above objectives. For example, an effective communication system is necessary so that all citizens are aware of the leisure opportunities that are available in Hamilton and how to access to them. Therefore, the City might provide leadership and coordination in creating such a system.

Recommendation #1

The City should adopt the Mission statement, two goals and twenty-three service objectives as a basis for all its decisions about providing public parks, culture and recreation services in the City of Hamilton.

This mission, goals and service objectives are consistent with and support the City's overall direction, as embodied in its VISION 2020 report.

5.1.4 The City's Mandate

The previous three sections justify public sector involvement in the delivery of parks, culture and recreation services on the basis of contributing to the greater good of the entire community. It should be noted, however, that often many of the service objectives can and will be achieved without intervention or involvement by the City. If a leisure service is provided without public subsidy (i.e. the subscribers to the service pay the entire cost of the service, or if another agency subsidizes it) and is provided in such a way that there is still significant benefit to the community as a whole, then the City's objectives have been achieved without the need for a city tax subsidy.

In implementing this approach to parks, culture and recreation services, a proactive approach to leisure service delivery is assumed.

The City of Hamilton should:

1. Operate within the philosophical foundation for the delivery of publicly sponsored parks, culture and recreation services which is embodied in the Mission statement above and consistent with its VISION 2020 direction.
2. Set the two goals and twenty-three service objectives, which give meaning to and are consistent with the Mission and are outlined in the sections entitled, Goals and Objectives.
3. Generally, accept responsibility for achieving the goals and objectives in the most cost-effective manner possible and within the bounds of limited available public resources allocated annually for this purpose.
4. Monitor the provision of all leisure services and activities available to area residents and determine which of the twenty-three objectives are being appropriately met without the City's involvement or intervention.
5. Where goals/objectives are not being met by other providers of services in the area, work with and support other agencies and community groups where appropriate to ensure services are provided in a manner which will best meet the above-noted goals and objectives.
6. Where certain services cannot or will not be operated by any other providers or service in a manner which will meet the goals and objectives, even with public support as above, then consider sponsoring services directly.
7. Be concerned at all times with obtaining the greatest amount of benefit (achieve the most objectives to the greatest possible extent) for the least possible net costs to the taxpayer, and constantly engage in such cost/benefit analysis.

Recommendation #2

The City should adapt the seven-step Mandate as further clarification of its jurisdiction in and approach to the delivery of parks, cultural and recreational services.

5.2 Setting Priorities

Although this document is meant to provide long-term direction within which to provide public leisure services, each year it will be important to adjust and fine-tune priorities and services. The following steps suggest how this short term planning should occur. The evaluation should be integrated into the City's Business Planning process.

5.2.1 Evaluate Services (against the 23 Service Objectives)

The City should first inventory each of the services it now provides (e.g. neighbourhood parks, theatres, grants to groups, indoor swimming pools, and the like), and catalogue them under the objectives each is responsible for achieving. ***Figure Twenty*** provides a basis for that assessment.

Before budget preparation each year, staff would use a chart such as that illustrated to document the extent to which each of its services actually contributes to the objectives. Instead of simply putting an "x" in the box to indicate whether or not a service meets an objective, a three point weighting scale could be used to show whether the service contributes in a "modest", "moderate" or "major" way. Completion of this chart will show where the City's resources are currently being allocated.

One point is particularly worthy of note. A service that contributes to only one objective is not automatically less important or effective than a service that contributes to many objectives. Consideration must also be given to the cost of the service, how many other services are directed at the same objective, the priority of the objective, and the extent to which the service meets the objective. If, for example, a play school program was considered a very high priority, the fact that this service met only one objective would not make it less important than other high cost services which contributed marginally to many objectives, most of which have low priority. Obviously, any service that does not contribute to the objectives, nor supports other city activities that do, would be a candidate for termination.

Finally, there must be a "fit" with the current Corporate Strategic Objectives.

Figure Twenty
Department Activity/Service Objective Matrix

Goals/Service Objectives	Service Units		
Sense of Community			
1. Special Events and celebrations			
2. Support of Local Groups			
3. Exposure to Sporting Events			
4. Exposure to and Appreciation of the Arts			
5. Social Functions			
6. Protect and Enhance the Natural Environment			
7. Protect and Celebrate Heritage Resources			
8. Beautify the Community			
9. Family Oriented Leisure Services			
10. Integrate Generations and Sub-Groups			
11. Economic Benefit Through Tourism			
Better Individuals			
12. Fitness and Overall Well Being			
13. Pre-School Leisure Opportunities			
14. Basic Skill Development for School Aged Children			
15. Advanced Skill Development for School Aged Children			
16. Social Opportunities for Teens			
17. Basic Skill Development for Adults			
18. Advanced Skill Development for Adults			
19. Opportunities for Seniors			
20. Interpret the Environment			
21. Reflection Escape			
22. Leisure Education			
23. Communication System			

Key: How The City Contributes to Service Objectives

5 – in a major way
3 – in a moderate way
1- in a modest way
0 – not at all

The consultants have provided an initial subjective assessment of the degree to which each of the twenty-three service objectives is being met in Hamilton. The fact that not much is being done to achieve a specific objective is not important in itself. It depends on whether that objective is deemed by the City to be in need of more effort and resources. Perhaps not much is being done because the objective is a very low priority or because other service providers in the City are achieving the objective on the City's behalf. That is determined in the next step. The evaluation is based on comments received from stakeholders, staff, Council members and community opinion leaders. They also reflect the consultant's knowledge of the sector and master plans developed in many other Canadian cities.

Each Service Objective is rated on a scale of 1 to 5. A rating of 5 suggests that more than sufficient services are in place to achieve that objective. A rating of 4 indicates sufficient services are in place. A 3 implies more could be done to meet the objective. A rating of 2 suggests very little is being done, and a rating of 1 indicates the consultant was not able to identify any services committed to achieving that objective.

1. To encourage Special Events and Celebrations

Hamilton has many well-established annual special events, typically organized by volunteers and service organizations. From larger events like the Winona Peach Festival to neighbourhood-based activities like the pancake breakfasts, these events typically rely on City support and resources to succeed. Historically, this support has included grants, in-kind support (site logistics) and promotion of the event by the City. Although generally seen to be adequate, the City's support of special events has not been harmonized (or rationalized) as compared to the practices of the 6 former municipalities. A more systematic approach is needed by the City in recognizing the efforts of the volunteers involved, and better coordination is warranted to ensure minimal conflicts in the scheduling of these events. **Rating: 4**

2. Support to Local Groups

A large portion of the parks, culture and recreation opportunities available to residents of New Hamilton are organized by local groups. Theatre Aquarius, the Stoney Creek Girls Hockey Association, the Community Activities Program (CAP) and Bocce clubs are examples of the hundreds of local groups providing services. It is reasonable to assume that these groups will provide the same level of service in the future, with significant potential for increasing their involvement. At present the City actively supports local sports organizations but provides relatively less support for local arts groups. Appropriate City support will be a determinant of success, including the provision of direct grants or subsidies, assistance with the recruitment and training of volunteers, promotion of local group activities and facilitating the involvement of volunteers in developing City policies. The Volunteer Coordinator position in Culture and Recreation is a good start but falls short of what is needed to provide the level of support necessary to realize the potential of these groups. **Rating: 3**

3. To Facilitate Spectator Exposure to Sporting Events
Hamilton is an established hub for spectator sporting events, ranging from the popular Tiger Cats and Bulldogs to hosting such events as the Canadian Women's University Basketball Finals and World Cycling Championships. The existing infrastructure is generally adequate, although a new mid-size track and field facility with stadium seating for 6,000-7,000 spectators (as proposed by McMaster University) is needed. **Rating: 4**

4. To Facilitate Spectator Exposure to and Appreciation of the Arts
Major venues, including Hamilton Place for performing arts and the AGH for visual arts, provide Hamiltonians with access to high caliber, professional productions and shows. These venues primarily showcase national and international artists but Hamilton's four professional performing arts organizations represent a significant local presence. City support for these professional venues and organizations is reasonably good. There is a deficiency of mid-sized performing space and smaller art galleries, both of which would increase the exposure of residents to local professional and amateur artists. The City's Public Art Program, which creates permanent installations of artwork, is an important commitment to enhancing residents' awareness and appreciation of local arts. **Rating: 4**

5. To Facilitate Opportunities for Social Functions
The City permits use of community centres for social functions that include service clubs and private family functions. Although this is one means of supporting such events, there is no clear policy statement clarifying priority of use for the community centres. The result is an uncertainty about the relative importance of scheduling a wedding reception versus regularly scheduled programs or more public types of social functions. Staff is seeking direction in terms of these sometimes conflicting uses. Clarity one way or the other would help in this case. **Rating: 3**

6. To Protect and Enhance the Natural Environment
Few municipalities can boast of having both an attractive waterfront and a designated United Nations World Biosphere Reserve, as is the Niagara Escarpment. The City of Hamilton is positioning itself as a leader in environmental stewardship by developing municipal policies and practices that go beyond legislated responsibilities. The Hamilton Conservation Authority plays an important role in stewardship of part of the City's environmentally significant lands. The Niagara Escarpment Commission is another significant service provider locally. Public access to trails and nature interpretation areas is good, but more connections between pathway systems are needed. Expanded linkages will provide a backbone structure promoting increased public awareness, usage and support for the expansive natural resources within Hamilton. The urban forest is extensive. The proposed new Giant's Rib Discovery Centre will strengthen the City's commitment to the protection of natural areas. **Rating: 4**

7. To Protect and Celebrate Our Heritage Resources

Few of Canada's large municipalities can match Hamilton's commitment to heritage; the 7 municipally operated museums represent assets of not only local but also national significance. Although there are some issues with below capacity usage, marketing and the ongoing restoration/maintenance efforts, these heritage properties are most impressive. With the integration of Fieldcote and Battlefield Park museums (resulting from amalgamation) comes the challenge of retaining the support of local volunteers at the same time as some standardization is needed. The relationship between the City and community volunteers such as members of Historical Societies and 'Friends of the Museum' groups should be more clearly defined. **Rating: 5**

8. To Beautify the Community

Beautification of Hamilton is important in helping the City balance its image as an urban community based on heavy industry. The redevelopment of the City's core area remains a particular challenge, although improvements have been made that include (the very popular, new) Bayfront Park and improved streetscapes such as Hess and Charles. The annual Christmas lighting and heritage decorations at Dundurn Castle are a noteworthy example, as well as the seasonal decorations throughout the core areas and Gore Park. The City's Public Art Program also contributes to Hamilton's beautification. In the suburbs, there are well-designated public areas that make a positive visual impression for both residents and visitors, and foster a sense of community. The City of Hamilton also invests significant resources in planting floral displays on traffic islands, which generates much civic pride and positive support from citizens. Though staff dedicates much attention to beautification of the community, there is concern that resource cutbacks have resulted in lower levels of maintenance of City assets than is desirable. Gage and Sam Lawrence Parks are examples of assets which have declined to the point where extensive and costly redevelopment is now warranted. **Rating: 3**

9. To Support Family Oriented Leisure Opportunities

Most of the opportunities that exist for families involve community events which use parks and access to public swim/skate programs. The City has not been proactive in promoting family use of these or other services. Development of better facilities for families and operation of them to maximize family use has received less priority than it should. **Rating: 2**

10. To Integrate Generations and Sub Groups Within Our Community

Many of the recreation facilities in Hamilton are single purpose, such as seniors' centres and swimming pools, which tend to separate the generations rather than integrate them. Larger facilities like the Ancaster Rotary Centre and Flamborough YMCA are better suited to use by all generations and sub groups in the community at one time by providing a variety of services. Very few social or public health services are provided at recreation facilities at present. In cases such as Riverdale, where a broader range of services is available, more sub groups in the population participate. Many programs are available to residents with special needs, with The Equestrian Association for the Disabled (therapeutic riding) being an example of one providing opportunities for family involvement. **Rating: 2**

11. Economic Benefit Through Tourism

Much of today's limited tourism in Hamilton revolves around major sporting events and, to a certain extent, performances hosted by HECFI, at Hamilton Place and Copps Coliseum. The City's seven local museums draw relatively small numbers and most of these are local residents. The City's substantial green spaces and natural features that include the Bruce Trail and 26 waterfalls have not been positioned as the significant tourist draw they could be. **Rating: 1**

12. To Foster and Promote Fitness and Overall Well Being

There is a reasonable supply of privately operated fitness centres in Hamilton and few public operated centres, meaning they are more accessible to residents with discretionary income. The City does provide an abundance of trails used for such activities as jogging and cycling. Swimming pools offer lane swimming and aqua-fitness courses. **Rating: 3**

13. To Foster and Promote Pre-School Leisure Opportunities

A variety of passive opportunities exist for pre-schoolers, such as the use of play equipment in parks, play groups and public swimming at indoor and outdoor pools. Some instructional programs are also available, including swim lessons and learn to skate programs offered by sports clubs. **Rating: 2**

14. To Foster and Promote Basic Skill Development in Leisure Pursuits for School Aged Children

The Hamilton Public School Board Chair has recommended that the City of Hamilton develop its own Civic Children's Strategy. The Canadian Centre for the Study of Children at Risk is implementing an annual report card on Hamilton's children. When considered alongside such initiatives as the recently established Hamilton Community Foundation fund offering recreation opportunities for children at risk, it is clear this segment of the population is of particular interest. While there is an abundance of traditional sporting activities for school aged children – offered by the City directly or via community partners – more emphasis is needed on skill development for children who face barriers. Programs like that offered by the Hamilton Basketball Association, which caters to children and youth in the core area and emphasizes equal playing time for participants, is a good example of a non-traditional approach inclusive of all children. More is available for sports than for informal recreation and arts activities. A more proactive approach by the City in collaboration with strategic partners mentioned above is needed. **Rating: 3**

15. To Foster and Promote Advanced Skill Development in Leisure Pursuits for School Aged Children

As with the previous service objective, a large variety of sport groups in Hamilton offer advanced skill development for the participants in their competitive programs. Several of these groups have informal mechanisms for low-income children and some, like girls hockey, are effective at encouraging more girls to participate. A more systematic approach is needed, requiring that the City be strategic in its allocation of grants, facility subsidies and in general ensuring that adequate opportunities are there for all children. **Rating: 3**

16. To Foster and Promote Social and Leadership Opportunities for Teens

In general the youth drop-in centres are operated by non-municipal authorities, including some church groups and social service agencies. The City has a staff position designated for youth services that also has area recreation responsibilities, making it difficult to dedicate sufficient attention to this segment of the population. The community has the capacity to do more, as is the case with the Ancaster youth program, but improved coordination and a greater emphasis on leadership development by the City would be required. **Rating: 3**

17. To Foster and Promote Basic Leisure Skills in Leisure Pursuits for Adults

Limited opportunities are available for adult skill development. Examples of City programs include aqua-fitness and some visual arts programs. Community groups provide skill development for adults with disabilities and a variety of sports. A cohesive City strategy addressing the training needs of volunteers would be beneficial. **Rating: 3**

18. To Foster and Promote Advanced Skills in Leisure Pursuits for Adults

The consultants were unable to find many services available to achieve this service objective. **Rating: 1**

19. To Foster and Promote Leisure Opportunities for Seniors

A wide variety of facilities and programs are available to senior adults living in Hamilton. Seniors centres are single focus facilities that over time will need to evolve towards multi-functional complexes. Some concern has been expressed about access to culture and recreation services for low-income seniors. **Rating: 5**

20. To Interpret the Environment

Although not generally provided by the City, residents have access to many environmental interpretation services. The Hamilton Conservation Authority is the predominant provider of this service, along with several nature related community groups. The City's Parks Division can play an important role providing interpretive services within City parks. **Rating: 4**

21. To Create Opportunities for Reflection and Escape from Daily Pressures

Many of the recreational trails provided by the City and other agencies are ideal for achieving this service objective. The courtyard at Whitehern is another example. Limited indoor public spaces exist where residents can lounge, although some of the newer recreation centres like the Flamborough YMCA and Ancaster Community Centre/Rotary Centre have made modest efforts to do this. Some of the major parks (e.g. Gage) also serve to achieve this objective. **Rating: 3**

22. To Educate Individuals About the Wise Use of Leisure Time.
The City of Hamilton has an important social marketing responsibility, demonstrating to residents the benefits of participating in parks, culture and recreation services. Some efforts have been made through the Community Guide and other program brochures to promote the benefits of City programs and services. A broader strategy that includes all service providers is warranted. All residents should be generally educated as to the best use of their leisure time and the benefits (e.g. growth and fulfillment) that accrue as a result. Anything the City can do to foster and promote this will assist in creating a sense of greater community connectedness and a richer parks/culture/recreation experience for residents. **Rating: 3**

23. To Develop a Communication System
A comprehensive communication/ information system should be established and maintained whereby all residents are made aware of the availability of and access to leisure opportunities in the community. The Community Guide partially meets this objective, but does not include all services and programs provided by the City and its partners.

Since amalgamation, most community partners have lost contact with their staff liaison and are unsure of how to get/provide information. More effort is needed to ensure that community partners are aware of City information and have access to appropriate City staff. This will have an added benefit of ensuring the City's information is correct. **Rating: 1**

In the consultants' opinion, 7 of the 23 objectives are sufficiently addressed that no further effort is required. Another 10 need some attention. In 6 cases very little is being done and much more needs to be done. This assessment is meant to focus efforts in the future. It suggests that effective efforts are already being applied in many areas and that relatively few critical areas need urgent attention. They include the Communications system, Support to Family groups, Integration of groups within the community, Economic Benefit through Tourism, Preschool opportunities, and advanced skills for adults.

5.2.2 Prioritize Service Objectives

The second step in the annual priority setting exercise would be to prioritize the objectives. This should be a City responsibility as part of the budget and the Business Plan process because it deals with overall City priorities. After reviewing the completed inventory chart outlined in ***Figure Sixteen***, the City may decide that a few of these objectives are not as well served as others. It may set the attainment of these objectives as higher priorities for the coming year. This, of course, would have an impact on budget considerations and may require that new resources be added to meet new objectives, or that resources be shifted from those objectives which are already being met.

In subsequent years, the City may decide that earlier defined priorities are now relatively well served in relation to other objectives and that new priorities have emerged. The October 2001 workshop was not able to test this prioritizing procedure, although consultations with other municipalities in the past have determined that it could work. ***Figure Twenty One*** represents a model that Council should use annually to help determine budget priorities.

Figure Twenty-One
Service Objectives Which Most Need to be Improved

Foster Sense Of Community	***Rank***	***Priority for Improvement***
Special Events and Celebrations		
Support of Local Groups		
Exposure to Sporting Events		
Exposure to and Appreciation of the Arts		
Social Functions		
Protect and Enhance the Natural Environment		
Protect and Celebrate Heritage Resources		
Beautify the Community		
Family Oriented Leisure Services		
Integrate Generations and Sub-Groups		
Economic Benefit Through Tourism		

Foster Growth Of The Individual	***Rank***	***Priority for Improvement***
Fitness and Overall Well Being		
Pre-School Leisure Opportunities		
Basic Skill Development for School Aged Children		
Advanced Skill Development for School Aged Children		
Social Opportunities for Teens		
Basic Skill Development for Adults		
Advanced Skill Development for Adults		
Opportunities for Seniors		
Interpret the Environment		
Reflection/Escape		
Leisure Education		
Communication System		

5.2.3 Addressing Higher Priority Objectives

The final step would be to render the City's activities more effective at meeting the twenty-three objectives. Council should determine the values based objectives. To do this, the City would review the inventory chart (***Figure Twenty***) from each of the two axes independently.

To start, the separate rows of the chart, each representing a service objective, should be analyzed with a view toward more effective strategies for achieving each objective.

For example, the City might brainstorm new ideas for achieving a specific objective. Then it might estimate costs and benefits of each item on the list, prioritize them and implement only those that are the most cost effective. At the end of the year an evaluation process would reveal that success or lack thereof in achieving a specific objective. The costs of the strategies could then be weighted against the benefits, and adjusted during the following year to delete those that are least effective. Where appropriate, new strategies could be implemented.

Recommendation #3

The City should adopt the above described three step benefits based approach for:

- ***annually evaluating and reporting in its investment in parks, culture and recreation services***
- ***setting priorities***
- ***strategizing on how to achieve its priorities in most cost effective way possible***

It would be necessary to analyze each of the existing services that are assigned columns on the chart. The City might, for example, "discover" through the inventory process that a particular program or service was involved in a major way in achieving two objectives, in a moderate way in achieving three others, and in a minor way in achieving two more. With some thought it would be possible to develop low or no cost strategies for:

- Moving some of the modest or moderate symbols up to the major category.
- Reducing costs of achieving the objectives.
- Achieving new objectives with the same program.

In the final step, all suggestions for developing or adjusting existing services would be developed into budget proposals showing their cost/benefit in terms of achieving objectives. The final budget review and approval process would also be based on this more structured cost/benefit approach.

5.3 A Planning Framework for Leisure Services

Each community is unique and, therefore, the parks, culture and recreation system in each community should be unique. There are no universally accepted planning standards and guidelines that will be acceptable to all communities. Instead, each community's public system must respond to the specific influences of population demographics, topography, climate, natural features, activity patterns and community priorities. The following set of planning guidelines and standards are recommended for The City of Hamilton to respond to all of the above factors.

To start, the separate rows of the chart, each representing a service objective, should be analyzed with a view toward more effective strategies for achieving each objective.

For example, the City might brainstorm new ideas for achieving a specific objective. Then it might estimate costs and benefits of each item on the list, prioritize them and implement only those that are the most cost effective. At the end of the year an evaluation process would reveal that success or lack thereof in achieving a specific objective. The costs of the strategies could then be weighted against the benefits, and adjusted during the following year to delete those that are least effective. Where appropriate, new strategies could be implemented.

Recommendation #3

The City should adopt the above described three step benefits based approach for:

- ***annually evaluating and reporting in its investment in parks, culture and recreation services***
- ***setting priorities***
- ***strategizing on how to achieve its priorities in most cost effective way possible***

It would be necessary to analyze each of the existing services that are assigned columns on the chart. The City might, for example, "discover" through the inventory process that a particular program or service was involved in a major way in achieving two objectives, in a moderate way in achieving three others, and in a minor way in achieving two more. With some thought it would be possible to develop low or no cost strategies for:

- Moving some of the modest or moderate symbols up to the major category.
- Reducing costs of achieving the objectives.
- Achieving new objectives with the same program.

In the final step, all suggestions for developing or adjusting existing services would be developed into budget proposals showing their cost/benefit in terms of achieving objectives. The final budget review and approval process would also be based on this more structured cost/benefit approach.

5.3 A Planning Framework for Leisure Services

Each community is unique and, therefore, the parks, culture and recreation system in each community should be unique. There are no universally accepted planning standards and guidelines that will be acceptable to all communities. Instead, each community's public system must respond to the specific influences of population demographics, topography, climate, natural features, activity patterns and community priorities. The following set of planning guidelines and standards are recommended for The City of Hamilton to respond to all of the above factors.

5.3.1 Planning Hierarchy/Model

Parks, culture and recreation services are provided at various geographical and administrative levels to serve different needs of residents and visitors. Facilities such as the very specialized Gage Park or the Hamilton Art Gallery cannot be developed in every neighbourhood in the City. It is equally obvious that it would be wrong to centralize all neighbourhood parks or swimming pools in the City and expect everyone to drive to one site.

A review of demographic, geographic and administrative factors indicates that there are four levels of provision of parks, recreation or cultural services which are applicable in the City of Hamilton: city/regional, district, community and neighbourhood.

5.3.1.1 City/ Regional Level of Service

A City level of service caters to all residents. In many cases it is also so specialized that it draws and services visitors to the City. Therefore, City and Regional levels of service become one level. Such space is often special purpose or has unique features. These services require a very large market in which to operate viably.

City open spaces and facilities are usually larger in scope and size than District or Neighbourhood spaces.

Existing examples of such City/Regional level services include:

- Ivor Wynne Stadium
- Gage Park
- Hamilton Art Gallery
- Bayfront Park
- Copps Coliseum
- Mohawk Sports Park
- Bruce Trail
- Local museums
- Sackville Hill Seniors Centre

5.3.1.2 District Level of Service

Hamilton is of a size in which City level amenities, like athletic parks, cannot meet all residents' needs and yet remain centralized. District levels are the logical progression of development where, instead of continually increasing facilities and parkland requirements in one location, amenities are dispersed throughout the City, each primarily serving a portion of the City to be more closely linked with the residents it is meant to serve.

The District level is similar to but not the same as the City's existing three districts into which the Culture and Recreation Department organizes its services. The name District is chosen to avoid confusion with the Community Associations, which operate primarily at a lower level.

Districts are usually separated by a major highway or geographic features (such as the Escarpment) and have more than one secondary school within their boundaries. At this level it is appropriate to provide many types of organized recreational activities, particularly for minor sport play. A District could be a collection of 4-6 or more Communities. Population would probably range from 80-120,000. For purposes of discussion an optimum size for a District will be set at 100,000 residents.

At this time, the City of Hamilton is still using the secondary planning areas of the six former municipalities as its primary planning structure. The City will be developing a new planning structure at some point in the future. That structure and the one described herein will need to be reconciled.

Existing examples of such District level services in Hamilton include:

- Ancaster Community Centre
- Chedoke Twin Pad Arena
- Flamborough YMCA
- Dundas Little Theatre
- Bernie Arbour Stadium
- Ancaster Senior Achievement Centre
- Victoria Park

5.3.1.3 Community Level of Services

A community in Hamilton is an area of about 20,000 residents and would be organized roughly parallel to the catchment area of a high school. At present there are a few types of recreation services (e.g. community centres, arenas) and almost no types of public open space provided at this level. While this has been a level of provision in the past, the consultants will be recommending that the types of facilities provided at this level be repositioned to the District Level, so this level of provision will become less viable and less influencial in the future.

5.3.1.4 Neighbourhood Level of Service

Neighbourhoods are the lowest level at which parks, culture and recreation will be provided. At this level, very little will be provided in terms of indoor spaces, but a significant amount of public open space will be provided. Many of the six former municipalities considered neighbourhoods of 3,000-5,000 residents for planning local neighbborood services and this range will be used herein. Therefore, for purposes of this Plan, a neighbourhood would have the following characteristics:

- A population of 3,000 to 5000 residents
- Children attending the same elementary school.
- No geographical or man-made barriers to pedestrian access throughout the neighbourhood (e.g. main traffic arteries, rivers, etc.)

At the neighbourhood level, a significant amount of open space exists to serve local residents. Some facilities also exist, including elementary schools schools. However, the size of the neighbourhood market is not sufficient to viably provide major cultural and recreation facilities in each one.

Existing examples of such Neighbourhood level services in Hamilton include:

- Playgrounds
- Spray pads
- Bocce courts
- Fieldhouses
- Outdoor skating rinks

- Unlit sports fields
- Tennis courts
- Shade structures

Recommendation # 4

The City should adopt the four level service hierarchy (i.e. City, District, Community and Neighbourhood) as a basis for planning and delivering all it parks, culture and recreation services.

Recommendation # 5

The City should establish an interdepartmental committee to identify and rationalize District boundaries for services provided by the Community Services Department and usable by other City departments.

5.3.2 Modes of Use

There are essentially three modes of use for parks, culture and recreation, that are dealt with in this report. The first might be called **Public Use**. They are spaces or facilities that the general public uses extensively without having to belong to a specific group or club or having to qualify at any particular skill level. Usage is generally on a drop-in basis, although the facility in question may have specific hours of operation. Examples include art galleries, museums, swimming pools, walking/jogging trails, and multipurpose fieldhouses. Some uses are free (e.g. trails and parks), while some have user fees attached (e.g. public swimming or skating).

The second mode of use is referred to as **Group Rental**. These are spaces or facilities where use is typically regulated and scheduled with teams or organizations allotted specific hours of use. Examples include arena ice time, structured use of sports fields, or special events.

The third mode referred to is **Program Use**. This is where the general public registers to utilize the space or facility for a particular use. Programs generally run on a regular basis for a set amount of time. Examples of Program usage would be swimming lessons or an After Four program for children. Many are operated by the City but many are also provided by other non-profit organizations.

Recommendation # 6

The City should adopt the three modes of use (i.e. public use, program uses, group rental uses) as a basis for planning and delivering its parks, culture and recreation services.

6. Strategic Directions

The consultants are recommending 15 high level Strategic Directions for the advancement of public parks, culture and recreation services in Hamilton. Pursuing these Strategic Directions with determination and commitment represents the highest and best use of limited available public resources. If the City focuses on these high level initiatives, it will be much better positioned in ten years time to manage its resources and meet local needs.

The Strategic Directions (SDs) are not all mutually exclusive. There is some overlap between a few, and a small number which could conflict with each other. Where conflict could occur, the resolution lies in the priority order of the fifteen. Those with a higher priority have precedence over lower priority Directions. They are listed in priority order.

6.1 Rationalize Policies

The 6 former Municipalities each had separate policies governing the delivery of public parks, culture and recreation services, reflecting their varying approaches to service delivery. In the former city of Hamilton, parks and recreation facilities and programs were neighbourhood based while museums were managed centrally. Stoney Creek and Flamborough developed larger multi purpose municipal wide recreation facilities and worked with well-organized community partners. Glanbrook, Ancaster and Dundas provided fewer direct services but, through a variety of formal and informal arrangements, engaged community partners to operate facilities and offer programs – the Ancaster Seniors Achievement Centre being an example.

Rationalizing does not mean harmonizing. It may well be that, in some cases, parks, culture and recreation services in the New Hamilton can continue to be distinct from one part of the City to another. However, rationalizing does require that each of these disparate policies be examined to determine the extent to which they comply with the City's new Strategic Directions and their compatibility with new standards governing service delivery and volunteers (such as risk management, training and recognition). All of the existing policies have been captured in a central listing developed by city staff and several have already been reviewed. Recommendations for rationalizing some have been made. However, there is a long way to go. The completion of this task should be a high priority in order to respond to the many questions and concerns expressed by user groups and service providers. Without such rationalization, it will be almost impossible to proceed with a coherent, effective delivery system.

6.2 Reconcile the Approach to Financing Parks, Culture and Recreation Services

The operation of facilities, parks and programs is funded primarily through a combination of user fees and taxpayer support. In December 2001, City Council approved a graduated plan to harmonize user fees and rental charges for parks and recreation services that will reduce or eliminate the differences in fees and charges from the former municipalities. This was an important first step in responding to clearly expressed concerns of residents and user groups about inequities and a lack of clarity about pricing of services across the city. What remains to be done is an assessment of fees and charges and a refinement of a pricing strategy which provides a rational approach to fees and charges, accessibility by all citizens and a reasonable level of revenue from users. In general the strategy will result in more modest fees and/or higher levels of subsidy for services which are the most "public" in nature. That means those services which are most accessible to the general public and most result in public goods for all. To the extent that special interest groups benefit from public parks, culture and recreation services, the fees will be higher and/or the subsidy levels will be lower. Admission fees for the City's 7 museums should be reviewed as part of an integrated business and marketing plan. Of note, local groups frequently mentioned high rental fees for rehearsal and performance space at Hamilton Place as a barrier; City staff should initiate discussions between HECFI and performing arts groups to address this issue.

Strategies for financing capital projects also varied between the 6 former municipalities. These included different Development Charge (DC) standards for parks and buildings as well as distinct pay-as-you-go practices for non-growth reserve funds. City Council must determine at a corporate level the degree to which future residential and commercial growth will pay for all required new infrastructure. Current legislation sets the upper limit that developers will contribute to 90% of the cost of new parks, arenas, galleries and so on. The City's new DC By-law must establish the 'historical' standard of parks and facilities that presently exist to set the benchmark for future development. Once established, the proportion of the capital cost to maintain this standard to serve future citizens will be the focus of the new by-law. Whether or not this is one example where a common standard should exist across all parts of the City, the development of a new DC By-law will provide the blueprint for the size and component standards for future facilities and parks and the ability of the City to finance them. Its development is a priority.

6.3 Enhance Management Information Systems

There are some examples of good automated management information systems already in place. Breakthru parks inventory and Class registration/scheduling systems are such examples. However, the consultants believe that a more comprehensive measurement and reporting system is warranted. This would include the development of high-level performance measures for:

- each of the Service Objectives approved by City Council
- each of the Strategic Directions
- each of the recommendations that are under development

Benchmarks for all measures must be set as soon as possible. Then they must be tracked from that point forward. Examples include the ability to track the rising functionality of the existing infrastructure in relation to the development of new infrastructure (SD#11). Similarly, City staff should be able to determine the facility time allocated to public use versus facility rental use (SD#7). Another example would be the measurement of the extent to which citizens are aware of all leisure opportunities available to them and how to access those opportunities (SD#4). Performance measures should be developed by City staff to monitor and report meaningful outputs (units of measurement) as well as outcomes (qualitative measures). These performance measures should consider the existing indicators contained in VISION 2020, as well as the Quality of Life Indicators developed by the Federation of Canadian Municipalities.

6.4 Enhance Communications Capacity and Effectiveness

The Community Guide, produced twice a year, is an excellent source of information for Hamilton parks, culture and recreation services. Nonetheless, one of the common themes in feedback from user groups and service providers was their dissatisfaction with the City's communication efforts. An integrated communication strategy is needed that would consider the best means of conveying information to the general public as well as to special interest groups. The Community Guide primarily targets the general public, as does the City web site and individual program/facility brochures. A strategy targeting the general public would determine what information is suitable for City-wide dissemination (public trails or the CARE program) versus district or neighbourhood levels (detailed swim lesson schedules), and whether printed or electronic media are the most effective. A separate strategy should address the needs of service providers acting as partners to the City to ensure they remain informed about current City initiatives; at the moment many groups involved in the operation or maintenance of facilities are wondering how past arrangements will change.

User groups of parks, culture and recreation facilities should benefit from information updates and communication from/to City staff, including regular meetings. City staff should have the support and resources to provide information about any program or facility.

The consultants recommend that the first four Strategic Directions be given immediate attention. After these are underway the City will have the framework and tools to pursue the remaining Strategic Directions effectively.

6.5 Shift From Direct Delivery to a Community Development Approach.

To varying degrees each of the 6 former municipalities assisted volunteer groups to operate facilities or provide programs, frequently supporting those groups through grants, training or in-kind support. This community development model of service delivery (helping people to help themselves) is a common approach that could gradually decrease the City's future role as a direct service provider. It is also a model that facilitates linkages with other sectors such as social services and public health, given that many community groups work across these sectors. It should be noted that the community development approach is not necessarily less expensive than the direct service approach. The commitment of City resources shifts from program costs (staff, facility time, supplies, advertising) to supporting volunteers (staff liaison, training, liability insurance, recognition).

This Strategic Direction would see the City's primary responsibility become that of a broker, facilitator and partner, ensuring that all the community's needs are being addressed and only providing direct service where it is needed and no other option can be created. Such a shift would require that community groups have the capacity and willingness to take on more responsibility (typically, more affluent and suburban neighbourhoods have well-established volunteer capacity, while inner-City neighbourhoods face greater challenges). It would entail a re-allocation of City staff and resources to strengthen support to the voluntary sector. Two of the City's most strategic community organizations are Volunteer Hamilton and the Hamilton Community

Foundation. In their input to the study both encouraged the City to proceed more clearly down the road of "community development". None of the stakeholders that were consulted said they wanted to do less in the future, and many said they were prepared to do more in terms of partnering with the city.

This Strategic Direction would entail a significant commitment by the City for training both staff and volunteers. City staff in all culture and recreation facilities and program areas and in parks should receive basic training to be part of the Community Development team. Staff working directly with volunteer groups need specialized training. All staff should begin to view themselves as part of a broader team that provides service to the community, working alongside staff from across the corporate structure. The result would be more holistic and integrated approaches to such issues as youth at risk, families living in poverty and community building.

Training of volunteers would focus on all aspects of working with community groups, including new group development, conflict resolution, effective governance models and leadership development. Volunteers would also need support and training emphasizing public safety and occupational health and safety.

6.6 Increase Community Capacity Through Alternative Service Delivery

Many examples already exist in Hamilton whereby parks, culture and recreation services are delivered under some form of agreement between the City and another agency. There are three categories of partnerships; namely public/public, public/non-profit, and public/private partnerships. The majority of existing arrangements are public/non-profit partnerships between the City and the voluntary sector. Some are partnerships with organizations like the Boys and Girls Club, the Art Gallery of Hamilton or the YWCA, for the operation of large centres and programs. Others are with small groups, often less formalized, for such services as the operation of community halls, sports parks or managing the local archives. Existing public/public partners include HECFI and the Hamilton Conservation Authority. Public/private partnerships presently include fitness centres in City facilities. The majority of recreation building housekeeping services are contracted out to third parties.

All three types of partnerships could be expanded in the future where it can be demonstrated that services presently provided by the City can be reasonably and safely provided by others. The result would be savings or efficiencies achieved, or alternately, more effective service delivery at the same expense. The City's responsibility would be to oversee agreements, represent the public's interests and work with partners to enhance community benefits. The City would also ensure that partners are engaged in safe activities (e.g. maintenance or construction) and that public safety is a predominant consideration in service delivery.

Examples of progressive new partnerships would be the introduction of public health services in recreation centres and private restaurants or equipment rental centres in public parks.

6.7 Public Opportunities Take Precedence over Opportunities for Organized Groups.

As mentioned earlier, there are three modes of facility operation; namely:

- Public access (sometimes called drop-in) - where opportunities are provided and members of the public can self-select their participation by simply taking advantage of the opportunity and dropping in on a free or fee basis
- Program access – where an agency packages a number of sessions, typically with an instructor, and offers them to any member of the public who wishes to register and commit to a set number of uses or visits
- Space rental – where space is allocated to a group of users who structure the activity and operate it to serve their members.

In Hamilton, all three modes are provided and will continue to be provided. However, as shifts are made and resources are allocated in the provision of public spaces, if all other factors are equal, priority should be given to the first two modes of operation because they are inherently more "public" in nature, and therefore more worthy of public support while there is a potential for user groups to represent specific self interests over the public interest.

While space will continue to be offered to arts, sports and recreation groups to rent public spaces for their members' use;

- any barriers to participation as a group member will reduce the priority of that group,
- publicly used spaces (e.g. trails, museums and public swim/skate times) should receive a relatively higher priority for new space provision than group rental space (e.g. ice rental, pool rental and sports field uses) if all else is equal
- the more the group represents a narrow range of specific interests, as opposed to the broader public interest, the less the City will subsidize the use of the space.

Publicly funded facilities and programs are provided, as a first priority, to the general public. Given the financial constraints City Council is facing, municipal funding of parks, culture and recreation services should emphasize buildings, park amenities and programs that benefit the greatest number of residents and the broadest definition of pubic good.

6.8 Celebrate Our Natural and Historic Assets

From a parks, culture and recreation perspective, Hamilton has much to celebrate. Its green spaces include large mature urban parks, the waterfront, extensive trails, and thousands of hectares of conservation lands that include the Dundas Valley and Niagara Escarpment. Hamilton could be referred to as the "City of Waterfalls", reflecting its 31 waterfalls and overall natural beauty. Hamilton has an impressive heritage that is captured in the seven City operated museums and dozens of historic buildings and sites. Many of the stakeholders consulted for this study believe strongly that the City should promote this good news story and lead the celebrations! This applies to visitors and local residents alike. Parks, culture and recreation services and sites represent an ideal vehicle for use in fostering a sense of City identity, pride, spirit and culture. Examples of how this could be done include enhanced city support for key special events, major sites, and spectator experiences at sporting and artistic events.

6.9 Focus On Active Living For 6-19 Year Olds

One of the greatest challenges in Canada in general, and in Hamilton in particular is the rapidly declining activity level of our youth and the resulting impacts on long-term health. Research has shown that active living for adults starts with teaching and engendering active lifestyles in youth. In the past decade, there is evidence of an alarming increase in the number of overweight and obese children and a crisis in many related diseases such as type II diabetes.

The 6-18 year old population is the market segment of the population that needs the most focus over the next ten years. Strategies developed by the City of Hamilton and others to get children and youth more active must begin by recognizing the shifts in behaviour patterns (e.g. moving away from traditional, structured activity like team sports to more informal unstructured activities like walking and skate boarding. Note: there are some exceptions, like soccer and girls hockey) towards individual, informal activities. Drop-in activities like open swims, skateboarding or pick-up volleyball for girls are examples of the type of program most likely to appeal to this segment.

Dr. Dan Offord of the Canadian Centre for the Study of Children at Risk, at McMaster University, champions the idea that every child, regardless of their background, is entitled to benefit from opportunities in sport and recreation. Dr. Offord acknowledges the health benefits of increased participation, but he also emphasizes the behavioral and community benefits that have a lifelong impact on children at risk. The Centre has developed an annual report card on Hamilton's kids, and would be a meaningful partner for the City in this Strategic Direction.

The implication is that City programs like public swimming or skating should be given higher priority, meaning they would be scheduled at suitable times, be designed to appeal to children and youth, with strategies that ensure that cost is not a barrier to participation. Other accessibility issues like language/cultural barriers or adequate public transportation also need to be addressed.

6.10 Focus on Cultural Tourism and Eco-Tourism

The terms of reference for this master plan included an assessment of Hamilton's future opportunities in sport tourism. While any efforts at enhancing Hamilton as a tourist destination point would have a positive economic impact, organized sport tourism does not appear to afford the greatest benefit for local residents.

There are several points to be considered in defining the City's future commitment to sport tourism:

- A significant capital investment could be required from the City for infrastructure that may be of limited value to the community (contrary to the principle of Public Good) or that incurs a net annual operating cost to taxpayers.
- Many other Ontario communities are competing aggressively for limited sport tourism dollars (notably London).

- Use of sport tourism facilities tends to involve peak loading during "the season" versus underutilization for what is often the majority of the year. This peak-loading factor also relates to Hamilton's limited inventory of hotel rooms and the City's inability to accommodate large numbers of tourists.

Cultural tourism, on the other hand, could become a Hamilton signature focal point. The seven City operated local museums are a valuable and unique community asset that could be more strongly positioned in the City's marketing efforts. Few, if any other Canadian cities can boast having five National Historic Sites. Most of these superb assets have significant excess capacity for use. Even smaller groups like the Dundas School of Art see the benefit of developing cultural tourism opportunities through better coordination and promotion of community arts events. The additional capital and operating costs involved in developing a Hamilton cultural tourism strategy would be modest in comparison to a sports tourism strategy, given that most of the infrastructure is already in place. More importantly, the benefits accruing to local residents would be more tangible.

Secondly, existing events like the Winona Peach Festival and the Around the Bay Road Race are also significant Hamilton landmarks, since a considerable portion of people attending come from outside the area. Hamilton Place and Copps Coliseum regularly host successful major concerts and productions attended by tens of thousands of people. The Hamilton Farmers' Market is North America's oldest indoor market, offering an acre of space that enhances the draw of the downtown core.

Thirdly, there is significant tourism opportunity attached to Hamilton's wealth of green spaces, natural areas, waterfront and wilderness. Plans are already underway to develop a new Giant's Rib interpretation centre to encourage tourists and residents to appreciate the natural beauty of the Niagara Escarpment. The Conservation Authorities manage thousands of hectares of conservation land that include such prominent features as the Dundas Valley. The Bruce Trail is one of Canada's most prominent, not only passing through Hamilton but also connecting to several local trail systems. The recent development of Bayfront and Pier 4 Parks along the waterfront is an important step in a longer term positioning of the Harbour as a tourist attraction. Some investment in additional trails and linkages would be required, but as with the cultural tourism strategy, these improvements would primarily benefit local residents while generating more tourist visits to the City.

6.11 Reinvest In Existing Infrastructure Over Building New Infrastructure

Many of Hamilton's parks, culture and recreation facilities are aging and in need of significant investment. In the next ten years, it won't make sense to be building new capacity if the older facilities are left to deteriorate further.

For recreation buildings, the future priority for the City should be to allocate sufficient capital funding to not only repair but also expand the functionality of facilities. The challenge is one of protecting the past investment in the City's current assets while adding capacity for increased use.

The City's local museums and the Art Gallery of Hamilton are examples of cultural facilities in need of rehabilitation/restoration that would benefit future generations. Again, protecting past investments must take priority over new infrastructure.

In terms of parks, most sites have not had sufficient ongoing maintenance and retrofits to keep them at an optimum level of service. Even large signature sites like Gage Park, have been allowed to deteriorate to the point where a significant rejuvenation effort is needed.

The challenge will be finding creative ways to finance these projects and giving them a high priority vis-à-vis building new infrastructure. The City's existing reserves available for this purpose will not be adequate. A common standard for Canadian municipalities is to allocate 1.5% of their total building asset value into reserve funds each year for long-term lifecycle repair and purposes. However, that has not been done in this area. A higher priority for infrastructure renewal would entail a greater share of the pay-as-you-go contributions from the tax base being directed to repair and replacement projects. And the construction of new parks, culture and recreation facilities funded through DC's will continue to put pressure on other City reserve funds as a result of having to find 10% of the cost of all projects from 'non-growth' sources.

There is a possible synergy with the Brownfield Development Plan by planning new facilities adjacent to Brownfield's to enhance their development value or using a portion of the Brownfield for greenspace.

6.12 Fewer But Larger Facilities

The City could achieve substantial savings in the cost of operating culture and recreation buildings by evolving towards fewer, larger facilities. The operational efficiencies of larger, multi-use centres are well documented, but Hamilton has several stand alone single-use buildings. A few facilities would continue to operate at the community and neighbourhood levels, but many facilities such as community centres and indoor pools would become part of larger multi-functional district level facilities. This model suggests that most residents would agree to travel slightly longer distances in order to enjoy a broader spectrum of services (including other community services); it will lead to higher quality of use, as well as more uses of culture and recreation facilities. Locating these larger multi-purpose facilities adjacent to public transit and the network of trails and pathways is an important consideration for ensuring accessibility.

6.13 Expanding Community Services in Culture and Recreation Facilities

Residents are interested in having easy access to the full range of community services. District recreation facilities could add synergistic, public community services such as libraries, public health, counseling (nutrition, neonatal, family issues, etc) and police services to their existing services. There is even potential to move many of the suburban city operated customer service centres into the recreation complexes so that residents could do other city business (e.g. pay their taxes) at these centres.

6.14 Open Space Linkages Between Parks, Cultural and Recreation Facilities

The City's present and future facilities should be designed to be easily accessible to pedestrians, cyclists and other non-motorized (with the exception of electric wheelchairs) means of transportation. This Strategic Direction would include a variety of solutions that best fit the characteristics of each neighbourhood. The addition of sidewalks, on-road cycling lanes, pathways through utility corridors, hazard lands, storm water management ponds and rights-of-way through commercial/industrial sites are among the options that should be examined. Secondary plans developed in the future should include such linkages as a condition of development or redevelopment.

6.15 Secure Public Access to Waterfront

There is broad support for more public access to the waterfront. Bayfront Park is a good example of this, regularly attracting large numbers of residents, who participate in a variety of unstructured activity. Confederation Park has been intensively used for many years and is currently undergoing a renewal under the stewardship of the Hamilton Conservation Authority. The deficiency of green space in the City's core area would be partially addressed by the development of more waterfront parks and linkages.

One barrier that exists is the longstanding plan for a perimeter road linking Burlington Street to Highway 403, through the west harbourfront. The Transportation, Operations and Environment Department will be undertaking a review of the perimeter road as part of an infrastructure master plan for the West Harbourfront planning area. If this transportation link is not developed (it would eliminate Bayfront Park), City Council must formally delete it from the City's long-range plans, in order to free up land for redevelopment.

A number of City owned sites could be assessed for development as waterfront open space. The Brownfield Development plan presents opportunities for developing waterfront green space in partnership with the private sector. Finally, all future redevelopment of waterfront properties should be assessed in terms of providing linkages for use by the public.

Recommendation #7

The City should endorse the fifteen Strategic Directions listed above, as a way of focussing all its parks, culture and recreation efforts and resources for the next five to ten years.

6.16 Congruence With Council's Priorities

The general direction outlined in Section 5 and articulated more specifically in the fifteen Strategic Directions listed above are consistent with the overall Council Mission, Vision, Values and Goals. They are also consistent with the City's VISION 2020 commitments, which are expressed in that document's 15 Goals.

6.16.1 Relationship to Council's Six Goals

In Council's Strategic Planning process which has occurred over the past several months, the direction has been translated into six goals. The 15 Strategic Directions outlined previously in this section are consistent with and support those goals as follows:

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

5.3

COMMUNITY SERVICES
Parks Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Barry B. Coopersmith, General Manager
Date:	June 6, 2002	**Prepared by:**	Alan Dore ext. 4334

SUBJECT: **Marina Presentation (CS02003a) (City Wide)**

RECOMMENDATION:

That report CS02003a) be received for information.

Barry B. Coopersmith, General Manager
Community Services

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with further information outlining the operating arrangements for the City of Hamilton's Harbourfront Properties, attached hereto as Appendix A.

BACKGROUND:

Council, at its Committee of the Whole meeting, held January 8, 2002, amended report CS02003 to include the following: Recommendation b) That a workshop for City Council be held to review in detail the Marina Development (i.e. what is happening with this facility, who is operating the facility, etc.).

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

POLICIES AFFECTING PROPOSAL:

N/A

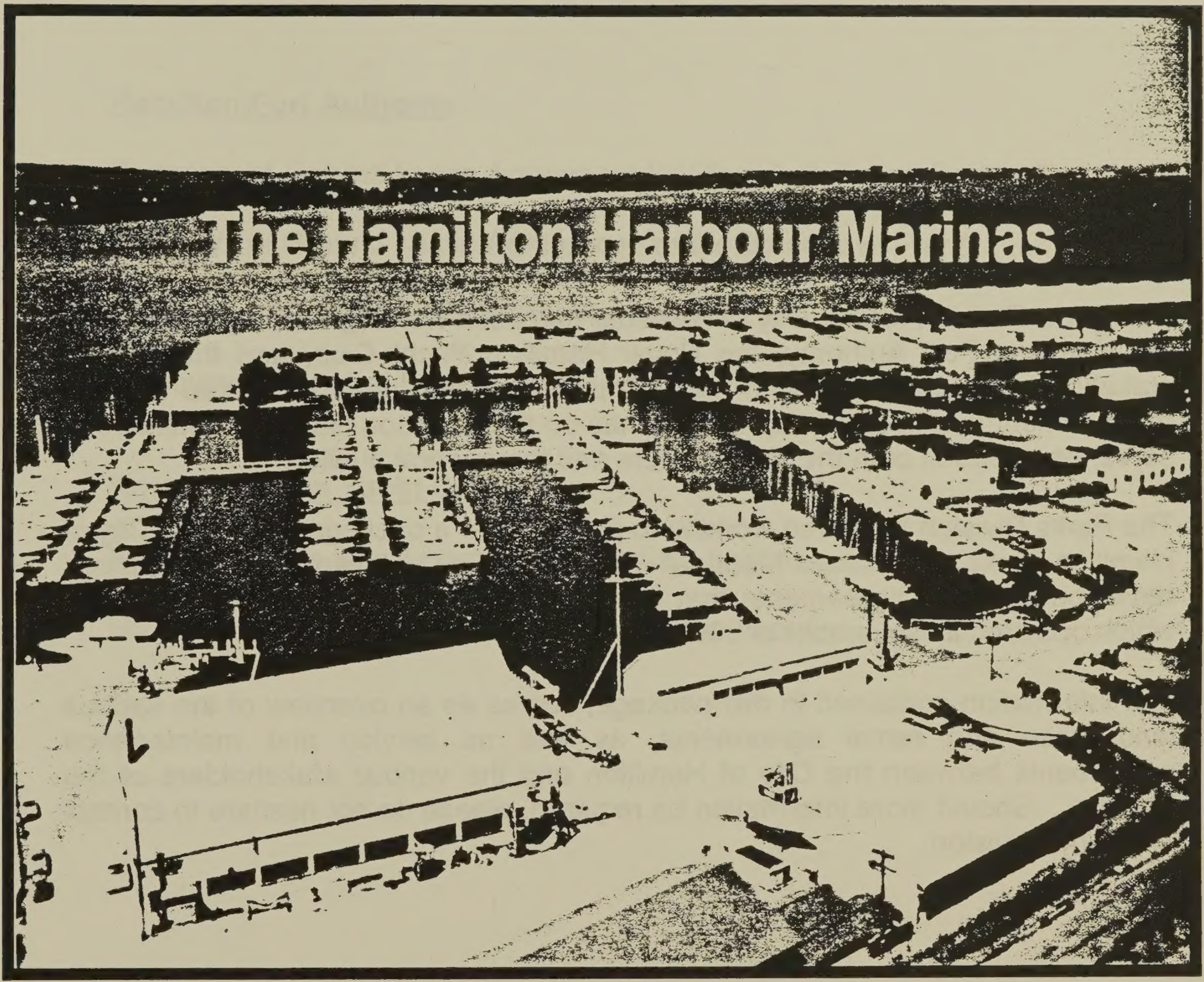
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A

CITY STRATEGIC COMMITMENT:

N/A

The Hamilton Harbour Marinas



Hamilton Parks
"Bringing Nature to Life"

The Parks Division for the City of Hamilton has been working in co-operation with the Hamilton Port Authority, the Royal Hamilton Yacht Club, and the various stakeholder groups involved in marina operation in an effort to ensure that the management and operation of the marinas on the Hamilton Harbour continues to serve the needs of both the stakeholders and the general public.

The Parks Division has been working to put together a package titled "The City of Hamilton Parks - Waterfront Marinas" which serves as an overview of the various developments and agreements that have been created since the land transfer which occurred in November of 2000.

The information contained in this package, serves as an overview of the various land lease and rental agreements, as well as service and maintenance agreements between the City of Hamilton and the various stakeholders of the Marinas. Should more information be required, please do not hesitate to contact the Parks Division.

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Ground Lease between the City of Hamilton and the HPA for Piers 5, 6, 7 and Part of Pier 8

This is a summary of the land lease agreement between the City of Hamilton and the Hamilton Port Authority dated November 24, 2000. The lease is for the West Harbour, specifically Piers 5, 6, 7, and Part of Pier 8. The main points are outlined as follows:

- The lease is for a period of 15 years commencing on November 22, 2000 and ending on November 22, 2015
- Rent is $1.00 per annum
- Permitted land use includes the operation of a marina and boating school and any uses which were consistent with the past practices of the HPA
- Ground lease, chattel lease and settlement agreement contain all representations, warranties, covenants, conditions, agreements, and understandings between all parties involved
- The HPA shall have access to water, temporary storage of vessels, the movement and handling of boats into and out of the water or storage and other practices necessary and consistent with the operation of a sailing school
- The HPA is allowed to have two annual periods of not more than seven consecutive days, from the period of May 1 to October 1 to have exclusive use of the lands leased for the purposes of removing or launching boats from or into the water
- The HPA shall have access to the property 24 hours a day, 7 days per week
- The HPA is responsible for and to pay all costs, charges, expenses, and outlays of every kind for the leased property
- Any payments not made by the HPA which is made by the City, will thereafter be collectible as rent by the City
- The HPA is responsible for paying all business taxes levied on the property, all rental taxes and all other taxes levied in respect to the HPA's use and occupation of the premises
- The HPA is to pay for the cost of all utilities consumed at the property including water, gas and electricity
- The HPA accepts the property on an as is basis
- The HPA is responsible for the maintenance and repair of its own equipment and fixtures
- All alterations, changes, or additions to the property must receive prior written approval from the City
- All design plans for any proposed capital projects shall be submitted to the City for approval prior to commencing any work
- The City must approve of all contractors

- All capital alterations to the property becomes the property of the City and there shall be no compensation to the HPA unless cost sharing terms have been agreed upon
- The City may conduct an annual audit of the capital equipment, buildings and fixtures and confirm the HPA's compliance with its obligations to repair, replace and maintain, and to account for the same as provided in the chattels lease
- HPA shall maintain at its own expense a comprehensive General Public Liability Insurance, Legal Liability Insurance, and Property Insurance all of which will include the City being named insured on the insurance policy.
- The insurance policy of the HPA must protect the City and the City shall be named insured on the insurance policy which, shall also contain a cross-liability protecting the City against claims by the HPA
- The HPA shall indemnify and save harmless the City from all claims, actions, costs etc. arising during the term of the lease and caused by the HPA
- HPA is responsible for damage arising from neglect on their part (i.e. water being left running, gas permitted to escape, leaving windows open)
- The HPA shall not sublet without prior written permission of the City
- Any sublet signees are bound to the provisions of the lease
- If the property lies vacant for more than 30 days, the HPA will be deemed to have abandoned the premises and the City shall take immediate possession of the lands
- The HPA can terminate the agreement by providing one year's written notice to the City (chattel lease as well)
- At the termination of this lease, the HPA shall surrender the land to the City in good condition
- At the end of the term, the HPA may remove any trade fixtures of its own (provided that the HPA is not in default under the lease and that the removal of these items will not cause extreme damage or injury to the property
- If the HPA remains on the premises after the expiration of the term, the lease shall continue on a month to month basis at a rental rate equivalent to market rent

Ground Lease between the City of Hamilton and the Hamilton Port Authority for the Balance of Pier 8

This is a summary of the land lease agreement between the City of Hamilton and the Hamilton Port Authority dated November 24, 2000. The lease is for the balance of Pier 8. The main points are outlined as follows:

- Agreement is in force and effect for 25 years commencing on November 22, 2000 and ending on November 22, 2025
- Rent is $1.00 per annum
- The HPA agrees that the property will only be used for warehousing, cargo handling, and existing uses permitted by applicable law
- The HPA is responsible for paying all costs, charges, expenses and outlays of any kind
- The HPA is responsible for paying all business taxes, and all other taxes levied in respect to their use and occupation of the property
- The HPA is to pay for all utilities including without limitation, water, gas, and electricity
- The HPA agrees to keep the property in good working order and in a safe condition and will be responsible for the maintenance and repair of the site
- The HPA is responsible for the maintenance and repair of its own equipment and fixtures
- Any payments not made by the HPA but made by the City will thereafter be collectible as rent
- The HPA shall not make any alterations to the property, if the amount exceeds $25,000 after the 15th year of the lease, without prior written approval of the City
- The HPA is to maintain Public Liability Insurance, Legal Liability Insurance, and Property Insurance and shall name the City as insured in the insurance policy
- The insurance policies shall contain a cross-liability clause protecting the City
- The HPA cannot assign or sublet this property without prior written consent of the City
- This lease shall ensure to the benefit of and be binding upon the successors an assigns of the City and the heirs, executors, administrators, successors, and permitted assigns or successors and permitted assigns of the HPA

- If after the first 5 years it is determined by both the City and the HPA that no portions of the land continue to be used for shipping and navigation, the lease shall immediately be terminated
- If the lease is terminated early, the HPA shall not have any claim or remedy against the City
- The HPA and the City shall continue to review whether or not any portion of the property is being used for shipping and navigation every five years during the Term and if during any such review it is determined that no portion of the demised premises continues to be used or has commercially reasonable prospects of being used for shipping and navigation, the lease will be terminated
- The HPA can also terminate the lease by providing 1-year written notice to the City

General Conveyance Agreement Between
Hamilton Harbour Commission & The City of Hamilton

The following is a list of chattels that was transferred from the HPA to the City of Hamilton. The Agreement was made as of November 24, 2000.

MARINA EQUIPMENT
02-Oct-00

No.	Description	Photo Ref. #	Gross Book Value @ 01/00	Net Book Value @12/00	Dep'n Rate	Life	Years of Dep'n	Year of Asset
1	WORK PUNT	20	280.78	-	20%	5	-	pre 1980
2	WORK PUNT	21	3,563.74	-	20%	5	-	pre 1990
3	SILENT HOIST	24	-	-	10%	10	-	pre 1980
4	HYSTER (15,000 lb)	11	-	-	10%	10	-	pre 1985
5	HENLEY	10	-	-	10%	10	-	pre 1980
6	ALLIS CHALMERS (6,000 lb)	1	-	-	10%	10	-	pre 1980
7	TAYLOR (20,000 lb)	28	-	-	10%	10	-	pre 1985
8	SEATRUCK	13	7,000.00	-	20%	5	-	pre 1975
9	M.D. TRAVEL LIFT	28	44,785.60	-	10%	10	-	[illegible]72
10	M.D. BOAT HANDLING	4	1,761.70	-	10%	10	-	[illegible]5
10	M.D. TRACTOR	4	9,771.48	-	10%	10	-	1985
11	M.D. CLUBCAR CARRYALL II	7	7,457.40	2,985.92	10%	10	6	1995
12	M.D. GOLF CART	8	2,000.00	-	10%	10	10	1991
13	M.D. GOLF CART	3	-	-	10%	10	-	pre 1990
14,15	M.D. MAST RACK	16,17	6,016.77	-	10%	10	-	pre 1980
16	M.D. MAST HOIST	n/a	7,008.39	-	10%	10	-	pre 1990
17	M.D. MAST HOIST	15	-	-	10%	10	-	pre 1960
18	BARBEQUE	3	-	-	20%	5	-	2000
19	M.D. LOADER	2	2,329.66	-	10%	10	-	pre 1980
20	M.D. WEED HARVESTER	29	11,128.83	4,451.06	10%	10	6	1995
21	FURNITURE FOR M.D. OFFICE	6,12,19,22,25,27	13,547.43	4,062.94	10%	10	7	1994
22	M.D. 1987 PICK UP	5	11,737.55	-	20%	5	-	1987
	Computer Equipment:							
	USED EPSON FX 1050 PRINTER M.D.		648.00	-	10%	10	-	pre 1995
	EPSON LQ1070 PRINTER (M.D.)		590.03	-	10%	10	-	pre 1995
	EPSON LQ570+ PRINTER (M.D.)		433.62	174.90	10%	10	6	1995
	CANNON BJC-4100 PRINTER (M.D.)		355.85	144.68	10%	10	6	1995
	NEC PENTIUM SERVER (M.D.)		2,651.60	531.28	10%	10	8	1993
	7-DELL OptiPlex G1 WORKSTATIONS		27,425.40	24,682.86	5%	20	2	1998
	TOTAL MARINA EQUIPMENT		160,495.83	37,033.64				

SAILING SCHOOL EQUIPMENT - October 2000

06-Oct-00

6

Asset Type	Description	Gross Book Value	Accumulated Depreciation	Net Book Value
Miscellaneous	SAILING-DISPLAY BOOTH	560.64	560.64	-
	SAILING-PROJECTOR, SCREEN	661.18	661.18	-
	VCR & 28" TV	1,029.90	1,029.90	-
Office F&E	COMPUTER & PRINTER - SS	2,574.07	2,313.81	260.26
	OFFICE FURNITURE AT SAILING SCHOOL	11,927.04	10,736.41	1,190.63
	S.S. ADDITION - OFFICE FURNITURE	1,143.17	228.63	914.54
	SAILING F+E	1,221.90	1,221.90	-
	1-DELL OptiPlex G1 WORKSTATION	3,917.91	2,330.75	1,587.17
	1-DELL LATITUDE Cpl NOTEBOOK	6,039.05	2,415.62	3,623.43
	1-HP LASER JET 1100	693.60	277.44	416.16
	DELL PIII WORKSTATION - SS SPARE	3,625.72	— 1,450.29	2,175.43
Vessels	10 Optimist Prams	21,047.92	21,047.92	-
	14' LUND LAKER ALUMINIUM BOAT (S.S.)	3,612.44	2,527.98	1,084.46
	15 HP. JOHNSON OUTBOARD J15FKED	3,071.52	3,070.61	0.91
	16.5 FT. LUND POWER BOAT	13,832.18	13,832.18	-
	3 CL-14 SLOOP TRAINERS	14,083.07	8,448.61	5,634.46
	35' GENNAKER SAIL	1,890.20	1,890.20	-
	5 CODE 40 INTERMEDIATE BOATS	14,496.86	14,496.86	-
	'88 JOHNSON 6 HP MOTOR	3,677.40	3,677.40	-
	9 ECHO TRAINERS	24,880.76	14,928.15	9,952.61
	9.9 HP JOHNSON MOTOR S.S. ('93)	1,801.44	1,801.44	-
	'90 JOHNSON 6 HP MOTOR	1,347.84	1,347.84	-
	C.S. 27 SAILBOAT	25,431.40	7,629.28	17,802.12
	C.S. 36 MERLIN SAILBOAT & EQUIP. (PA	121,792.24	48,716.45	73,075.79
	C.S. 36 MERLIN SAILBOAT & EQUIP.(BAD	107,307.93	53,654.59	53,653.34
	C.S. 40 SAILBOAT & EQUIP.	157,009.50	60,609.90	96,399.60
	EQUIP SAILING -9.9 HP O/B	1,417.75	1,417.75	-
	EQUIP SAILING BOATS	8,333.20	8,333.20	-
	EQUIP SAILING PATROL BOATS	4,527.30	4,527.30	-
	S.S. 15 HP JOHNSON J15FREV	2,503.44	750.69	1,752.75
	S.S. 15 HP JOHNSON J15KEO	2,553.12	2,553.12	-
	S.S. 23' JEANNEAU	15,000.00	4,500.00	10,500.00
	S.S. 23' SHOCK	17,280.00	5,184.00	12,096.00
	S.S. 50 HP MARINER M50ELPT	4,820.20	3,856.08	964.12
	S.S. 9.9 HP JOHNSON J10FREV	2,214.00	1,769.60	444.40
	S.S. '94 LUND 2100 BARON G.S.	28,542.47	19,978.49	8,563.98
	S.S. S-14 LUND AND ACCESS.	5,375.16	4,303.03	1,072.13
	SAIL BOAT - 24' SHARK '88	20,440.88	20,440.88	-
	SAILING PATROL BOATS	3,428.35	3,428.35	-
	2 CODE 40 SAILBOATS	12,420.00	2,484.00	9,936.00
	ELECTONICS FOR GREAT HABIT	8,946.50	1,789.30	7,157.20
	9.9hp. OUTBOARD MOTOR Mercury	2,300.40	460.08	1,840.32
	LASER 2 SAILBOAT (Used)	3,000.00	300.00	2,700.00
	QUICKSILVER RHINO II COACH BOAT	2,079.00	207.90	1,871.10
Wharves, Piers & Floats	SAILING DOCKS & FLOATS	38,588.45	37,086.74	1,501.71
	SAILING SCHOOL RAMP	18,237.47	12,181.49	6,055.98
Grand Total		750,464.88	416,258.06	334,206.63

General Repairs and Maintenance Agreement Between the City of Hamilton and the Hamilton Port Authority

This agreement was drafted and referred to the Legal Department for review. Once the finalized agreement is complete, it will be forwarded to the Hamilton Port Authority for consideration. The general provisions of this agreement are outlined below.

- The HPA will perform for the City general repair and maintenance with respect to the improvements, structures, and facilities of the City located on Pier 5 (specifically Cayuga Pier, Chippewa Pier, Turbinia Pier, Modjeska Pier, Macassa Pier, the Fixed Pier, washrooms on the Fixed Pier and the Wave Break
- The HPA shall perform all work on the property
- HPA must obtain written permission from the Manager of Parks (Lower) or his designate
- HPA must provide written description and estimated cost to Manager of Parks before commencing any work
- All labour, materials and equipment required for the performance of the work will be provided by the HPA and its contractors
- Compensation to the HPA for the performance of work shall be based on the standard hourly rate for the HPA for repair and maintenance as established by the HPA
- Materials and equipment shall be charged at the HPA's normal rate
- All invoices shall include a detailed parts and equipment list
- Invoices, itemizing the work performed together with the costs for labour and materials shall be provided to the City on a monthly basis
- The City shall make payment within 60 days of the receipt of the correct invoice
- The HPA shall at its own expense maintain during the term of the agreement Commercial General Liability Insurance and shall include the City as an additional insured, as well as having a cross-liability and severability of interest provisions
- Must also have a standard form Automobile Liability Insurance
- The HPA will indemnify the City and its representatives etc. and save it harmless from all costs and expenses caused to, or incurred by the City and its reps . . .and from all claims and demands, loss, costs, damages, injuries, actions, suits, or other proceedings by whomsoever made, sustained, brought or prosecuted arising out of acts of negligence of the HPA or by a breach of the terms or conditions of the agreement

- The agreement commenced January 01, 2002 and shall remain in full force and effect until December 31, 2002, unless terminated by either party upon 30 days notice to the other party
- Termination of the agreement shall be without penalty

The Royal Hamilton Yacht Club (RHYC)

There is no ground lease agreement in place between the City of Hamilton and the Royal Hamilton Yacht Club. As such, their former lease with the Hamilton Port Authority has been extended on a month-to-month basis. The general provisions of the agreement are as follows:

- The RHYC had a lease with the Hamilton Harbour Commission which was in force and effect from September 01, 1990 and terminated on 31 August 2000
- The HPA does not hold any prepaid rent or security deposit for the RHYC
- The RHYC is not claiming any deduction, abatement, nor any counterclaim under the lease
- There is no existing default or breach of the lease
- There is no litigation or governmental or municipal proceedings against the RHYC
- The RHYC does not have the opportunity to purchase any portion of the leased property
- The RHYC will continue to use the leased lands solely for the purpose for which the lands have been used prior to the transfer in ownership from the Hamilton Harbour Commission (HPA) to the City
- The lease is to be net and carefree to the City with the RHYC being responsible for all applicable utilities and taxes
- The RHYC is responsible for maintaining at their own expense Public Liability Insurance, Legal Liability Insurance, and Property Insurance, all of which will include the City being named insured on the insurance policy
- A new lease agreement is under negotiation with Corporate Real Estate
- In February of 2002, the RHYC was provided with a Letter Of Understanding relative to the administration and management of the City of Hamilton's Marina Slips
- The RHYC is currently acting as the City's Rental Agent for the renewal and marketing of those slips in the area of Pier 5 marina
- RHYC receives 20% of the gross rental rate of these slips
- The City is to maintain the parking lot to the south of the leased lands, including snow removal
- As for the slips and docks that make up Pier 5 Marina, the City is responsible for all winter and summer maintenance, including janitorial services

City of Hamilton Slip Rental Agreement
Used by the Royal Hamilton Yacht Club for Slip Rentals

This agreement outlines the terms and conditions to which any individual renting a slip for the boating season shall be subjected. The agreement is used by the Royal Hamilton Yacht Club who administers slip rentals on behalf of the City of Hamilton.

The following rules and conditions shall apply to the use and occupation of all docking space and facilities (hereinafter referred to as the "slip") on the City's premises:

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1. The Owner agrees to pay for the occupancy and use of the slip, and for all related services, in accordance with the rates set out in this Agreement and in the City's form of invoice. All such charges shall be payable in advance, unless otherwise agreed by the City. Fees are subject to change from time to time at the discretion of the City.

2. The use and occupancy of the slip by the Owner shall be in the nature of licence only, and nothing in this Agreement shall confer on the Owner a leasehold interest in the slip or of any portion of the City's premises.

3. The owner agrees to pay all costs for any damage to City property or to the property of others, as well as costs arising from any injuries, where such damage or injuries arise directly or indirectly from the negligence of the owner.

4. The use and occupation of the slip, and the use of any other property, facilities, equipment or services of the City, shall be at the sole risk of the owner. Without limitation, the City and its employees and agents shall not be responsible for the care or protection of the owner's boat, including its gear, equipment and contents, nor shall the City, its employees or agents, be liable for any loss or damage whatsoever to the boat or its gear, equipment and contents, whether due to the negligence of the City, its agents or employees, or to any other cause. The owner agrees to indemnify and hold harmless the City, and its employees and agents, against any loss, cost, suit or claim arising out of the use or occupation of the slip or the use of any property, facilities, equipment or services of the City whether or not due or not due to the negligence of the City or its employees or agents.

5. The Owner will not do, or permit to be done, any act or thing which may make void or voidable any insurance policy held by the City or which may cause any additional premium to be paid for such insurance.

6. The Owner will not make or permit any unlawful, improper, noisy or otherwise offensive use of City property. The Owner further agrees to observe, obey and be bound by all the by-laws, rules, and regulations made by the City from time to time.

7. The City shall have a lien against the Owner's boat described in this Agreement, as well as its gear, equipment and contents for unpaid sums due to the City in accordance with this Agreement.

8. The Owner agrees to move his/her boat in accordance with the City's instructions and, when unattended, authorizes the City to move the boat at the City's discretion. Any movement of the boat shall be at the Owner's own risk and expense.

9. This Agreement shall remain in full force and effect for the duration of the Owner's occupation or use of the City facilities, unless sooner terminated by the City on notice to the Owner. Notwithstanding the foregoing, this Agreement shall immediately terminate on the occurrence of either of the following:

   a) The destruction of the mooring facilities by fire, storm or any other calamity

   b) Any breach by the Owner of this Agreement, including the Rules and Conditions.

10. A waiver by the City of any one or more of the terms, rules or conditions of this Agreement shall not be deemed to be a continuing waiver.

11. A hydro surcharge of five (5%) per cent of slip fees will apply to all boats with air conditioning systems. The surcharge will apply per system, with a maximum of two systems per boat.

12. Any work performed on a boat, or the installation of any equipment, must be done in accordance with the rules and regulations of The Canadian Underwriters' Association and must be approved in writing, in advance, by the City.

13. All pets must be kept on a leash when not on board the Owner's boat. Pets shall only be walked in such areas as may be designated by the City. Owners are required to clean up after pets.

14. The City, and its designated agents or representatives, shall have the right to question any person while such person is on the City's premises and shall also have the authority to enforce the City's by-laws, rules, and regulations.

15. Owners may not sub-let or loan a slip.

16. Owners may not carry on any commercial activities while on the City's premises, except with the prior written consent of the City.

17. a) Prior to leaving, Owners shall advise the City of any absence from the slip extending beyond 4 (four) consecutive nights.

    b) Should the slip be vacant for any extended period of time, the City reserves the right to re-assign the slip or to permit third parties to use the slip during the Owner's absence. The City shall retain any fees received for such reassignment or use by third parties.

18. Subject to the conditions hereinafter set out, should an Owner sell, lease or otherwise dispose of his/her boat to a person beyond the members of his/her immediate family, then he/she shall forfeit his/her right to continue to use the slip and the City shall be at liberty to re-assign and re-rent the slip and the Owner shall not be entitled to a refund or adjustment of the seasonal rental.

19. Boat dealers, brokers and commercial ventures may, with the written agreement of the City use the facilities of the City to promote sales or carry on business, but are subject to the following regulations and increased charges:

    i) In addition to the regular charges of the City, a surcharge of one hundred (100%) per cent is payable on the slip fee.

    ii) A Broker's commission of five (5%) per cent may be payable on the price of any used vessel sold on the City's premises by a dealer or broker.

    It is not intended that such additional charges shall apply to a boat which is used by a broker or dealer for his/her own private purposes and which is not in any way connected with his/her business or with sales promotion or demonstration, nor shall the broker's commission be payable in connection with a private sale where the assistance of a broker or dealer is not involved.

20. In addition to other changes payable to the City, charterers may be required to a pay a surcharge on the slip fees.

21. Dock boxes are not permitted, save and except those authorized, and/or provided for a fee, by the City.

SECTION 6

SECTION 7

WARD 12 and CITY WIDE

CITY OF HAMILTON

7.1

COMMUNITY SERVICES DEPARTMENT
Culture and Recreation

Report to:	Mayor and Members of Committee of the Whole	**Submitted by:**	Barry B. Coopersmith General Manager
Date:	May 23, 2002	**Prepared by:**	Shelley Merlo Orzel (X5015)

SUBJECT: 2003 Bell Canadian Open Golf Tournament (CS02051) (Affects Ward 12, with City Wide Implications)

RECOMMENDATION:

(a) That subsection a) of item 1 of Committee of the Whole Report 01-027 approved by City Council on September 18, 2002, respecting the 2003 Bell Canadian Open Golf Tournament, be amended by deleting the August 27 to September 2, 2003 date of the 2003 Bell Canadian Open Golf Tournament, and replacing in lieu thereof the date September 1 to September 7, 2003;

(b) That the sponsorship package of $500,000 approved by Council at its meeting held September 18, 2001 be composed of a maximum of $300,000 for services in-kind and a minimum of $200,000.00 in cash payment; noting that with anticipated Corporate Sponsorship, the City's commitment could be reduced.

(c) That the amount of $500,000 for the sponsorship package be included in the 2003 budget;

(d) That staff be authorized to enter into a legal agreement with the Royal Canadian Golf Association satisfactory to the Legal Department;

(e) That staff provide regular updates to Committee of the Whole regarding hosting the 2003 Bell Canadian Open.

Barry B. Coopersmith, General Manager
Community Services

EXECUTIVE SUMMARY:

This report is requesting approval for:

- the change in dates of the 2003 Bell Canadian Open from the September 2001 report

- authorization that the sponsorship agreement for services in-kind and cash not exceed $500,000
- to enter into legal agreement with the RCGA for financial sponsorship and services in-kind.

BACKGROUND:

The recommendations/information contained within report CS02051 have implications specific to Ward 12 (and City Wide implications).

At its meeting of September 18, 2001, Council approved for the City to bid for the 2003 RCGA Bell Canadian Open. The tournament dates at the time were August 27-September 1, 2003. They have since been changed to the following week September 1-7, 2003. The City and the Hamilton Golf and Country Club were selected as the site for the Tournament in October 2001. Since then, City staff and the RCGA have met to negotiate the terms of the sponsorship agreement.

The sponsorship agreement includes a minimum cash payment of $200,000 and a number of services in-kind not to exceed a total of $300,000. The services-in-kind may include but are not limited to the following:

- Parking lands and land preparation for purpose of parking
- Bussing of spectator transportation and bus routing
- Police services, traffic control, signage, security
- Necessary permits, restricted road access
- Qualifying site at Kings Forest Golf Course
- Fencing, highway signage
- Street banners and other signage locations owned by city

The RCGA estimates that over 150,000 spectators would attend the event over the course of the week peaking with a gallery between 35,000 and 40,000 for the final round on Sunday. The weekday crowds are anticipated to include 25,000 spectators. Volunteers from Service Clubs and organizations in the city will be asked to assist with various components of the golf event and parking logistics.

ANALYSIS OF ALTERNATIVES:

Council approved in principle to bid for the Tournament and a sponsorship arrangement not to exceed $500,000. If Council chooses not to support the recommendations contained in this report, it would jeopardize the hosting of the event in the City of Hamilton.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The amount of the sponsorship $500,000 needs to be included in the 2003 budget. Part of the September 18, 2001 approval included authorization for the Mayor to solicit private corporate sponsorship to help defray the $500,000. Requests for corporate sponsorships have been initiated and it is anticipated that the City's commitment will be reduced.

POLICIES AFFECTING PROPOSAL:

The 2003 Bell Canadian Open will adhere to all applicable city by-laws, policies including and not limited to the Special Event Guidelines/Policy.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following internal departments have been consulted throughout the negotiations for the services in kind requested:

- Transportation, Operations Environment
    - Transit
    - Traffic

- Community Services
    - Parks
    - Culture and Recreation

- Financial and Corporate Services
    - Parking enforcement

- Corporate Secretariat
    - Communications

- Police Services
    - Traffic Control
    - Site Security and Personal Security

In addition, external stakeholders have been contacted to arrange suitable locations for parking the approximate 10,000 vehicles anticipated, including those of VIPs, volunteers and spectators.

Staff continues to work on determining the level of service and staffing required in hosting this event and ensuring all logistics are met.

CITY STRATEGIC COMMITMENT:

The ability to highlight Hamilton as a location for a world-class sporting event such as the Bell Canadian Open Golf tournament is invaluable. This event provides the city with a great opportunity to positively project the image of the city both nationally and internationally as a preferred destination for sporting and other events.

WARD 5 AND
CITYWIDE
IMPLICATIONS

7.2

CITY OF HAMILTON

COMMUNITY SERVICES DEPARTMENT
Design and Construction Division

Report to:	Mayor and Members of Committee of the Whole	**Submitted by:**	Barry B. Coopersmith General Manager,
Date:	June 06, 2002	**Prepared by:**	Domenic Lunardo x 3982

SUBJECT: **Hamilton Beach Trail – Design Approval - Partnership with Hamilton Waterfront Trust (CSO2053) (City Wide and Ward 5)**

RECOMMENDATION:

(a) That together with any direction or comments received from Council, the alignment of the Hamilton Beach Trail (6 meter wide, asphalt) as shown in **Appendix A**, prepared by the Hamilton Waterfront Trust, dated May 2002, be approved;

(b) That approval, (as per Recommendation "a"), be subject to confirmation from the Hamilton Waterfront Trust that all approvals from authorities having jurisdiction including the City, have been received and that comments from the Environmentally Significant Areas Impact Evaluation Group and the City's LACAC Committee be addressed;

(c) That Staff be directed to formally apply to the Waterfront Regeneration Trust, for $1,000,000, currently held in trust for the development of Hamilton Beach Trail;

(d) That the Service Agreement, attached hereto as **Appendix B**, between the City and the Hamilton Waterfront Trust be approved;

(e) That in accordance with the City's Tree By-law (92-155), trees identified on the drawings (Appendix B, Schedule A) for removal, be approved.

(f) That the Mayor and City Clerk be hereby authorized and directed to execute all documents in a form satisfactory to Corporate Counsel.

(g) That the subject trail be formally named the "Hamilton Beach Trail".

Barry B. Coopersmith, General Manager
Community Services

EXECUTIVE SUMMARY:

The purpose of this report is to obtain final approval of the design and construction for the Hamilton Beach Trail in partnership with the Hamilton Waterfront Trust (HWT). HWT has designed a 6 metre wide, asphalt multi-use trail from the Burlington Canal to the northerly end of Van Wagner's Beach Road. The design will follow the old railway bed and be approximately 4.2 kilometres long. The estimated cost is $2,830,000 funded from the Waterfront Regeneration Trust (WRT) and Provincial SuperBuild Funding, (subject to final approval).

In advance of SuperBuild funding, the HWT shall provide interim financing in the amount of $1,130,000 for the trail and shall fund any shortfall in the SuperBuild Funding portion. The City shall repay HWT for funding contributed by HWT for the SuperBuild portion of the Project financing, only to the extent and limit of any SuperBuild funds actually received by the City for the project and excess net sale proceeds from the sale of Hamilton Beach Properties.

Subject to confirmation of necessary approvals from all agencies having jurisdiction, it is anticipated that construction will commence in July 2002 and be completed by November 2002 weather permitting.

A detailed executive summary has been provided by the HWT, attached hereto as **Appendix C**.

BACKGROUND:

This recommendations/information within report CS02053 have City Wide implications and specifically in Ward 5.

On January 23, 2002, Council approved that the City enter into a Service Agreement with the Hamilton Waterfront Trust, (HWT), for the design and construction of the Hamilton Beach Trail.

Based on the above noted direction the HWT has proceeded with the preparation of detailed design and tender documents. In addition, HWT has conducted a number of community consultation meetings as well as establishing a Project Advisory Group representing a cross-section of stakeholders, landowners and users to provide a forum to receive input from stakeholders and review agencies. Refer to **Appendix E** for a summary of the public participation process.

Drawings are now ready for tendering and final approval is being sought prior to construction. It is anticipated that construction will commence in July 2002 and be completed by November 2002 weather permitting.

Subject to receiving confirmation from the HWT that they have received the necessary approvals from all agencies having jurisdiction, staff are recommending approval of the design and alignment of the Hamilton Beach Trail.

Staff are proposing that the name of this trail be official designed as the "Hamilton Beach Trail". The naming of the trail is consistent with the City's policy for naming parks and open spaces.

ANALYSIS OF ALTERNATIVES:

The Hamilton Beach Trail is intended to be a multi-use trail system along the waterfront connecting to existing trails, existing and future cultural and historic amenities. The trail from the Burlington Canal and to Grays Road in Stoney Creek is 8.5 km long and is generally 6.0 metres wide. The multi-use asphalt paved trail will accommodate walkers, joggers, cyclists, in-line skaters and wheelchair users. The northerly 4.2-km trail section will extend from the Burlington Canal to the northerly end of Van Wagner's Beach Road. This is the section of the trail covered by the attached Service Agreement with the City. The southerly 4.3-km section within Confederation Park is a joint venture with the Hamilton and Area Conservation Authority and includes a widening of the trail from 3 to 6 meters.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial Impacts

The estimated gross cost for this project is $2,130,000. The original funding plan for this project includes funding (approximately $1,130,000) from SuperBuild in a joint partnership with the Waterfront Regeneration Trust. The remaining $1,000,000 was from the City's sale of Beach Land Properties. These funds are now being held in trust by the Waterfront Regeneration Trust. Subject to Council approval staff are proposing to formally apply for these funds. As per the attached Service Agreement, 50% of these funds will be provided to the HWT within 30 days from the date of receipt of such funding by the City and 50% to be paid to HWT upon substantial completion of the project.

With respect to the repayment of the interim financing by HWT ($1,130,000), The City shall repay HWT for funding contributed by HWT for the SuperBuild portion of the Project financing, only to the extent and limit of any SuperBuild funds actually received by the City for the project and excess net sale proceeds from the sale of Hamilton Beach Properties.

Any net proceeds from the sale of Hamilton Beach Properties, up to and including the sum of $1,000,000 shall be repaid to the City's Reserve for Property Purchases. Any excess (over and above the sum of $1,000,000) net proceeds from such sales will be applied to any SuperBuild funding shortfalls for the project, first and the balance remaining, if any deposited into a new "Hamilton Beach Park" City Reserve.

Maintenance/Operating Impacts

The Parks Division has identified that there will be an estimated increase of $150,000 their annual base operating budget, as addressed through report # CS02029.

Legal Implications

In consultation with the City's Legal Services Division, a Service Agreement (refer to Appendix B) has been prepared to address legal, design, construction and other matters associated with this partnership arrangement with the Hamilton Waterfront Trust.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following departments and agencies were consulted in the preparation of this report:

- Parks, Community Services Department
- Design and Construction, Community Services Department
- Corporate Buildings and Real Estate, Community Services Department
- Finance and Corporate Services
- Legal Services Division
- Planning and Development Department
- Transportation, Operations and Environment Department
- Waterfront Regeneration Trust (Toronto)
- Hamilton Waterfront Trust

CITY STRATEGIC COMMITMENT:

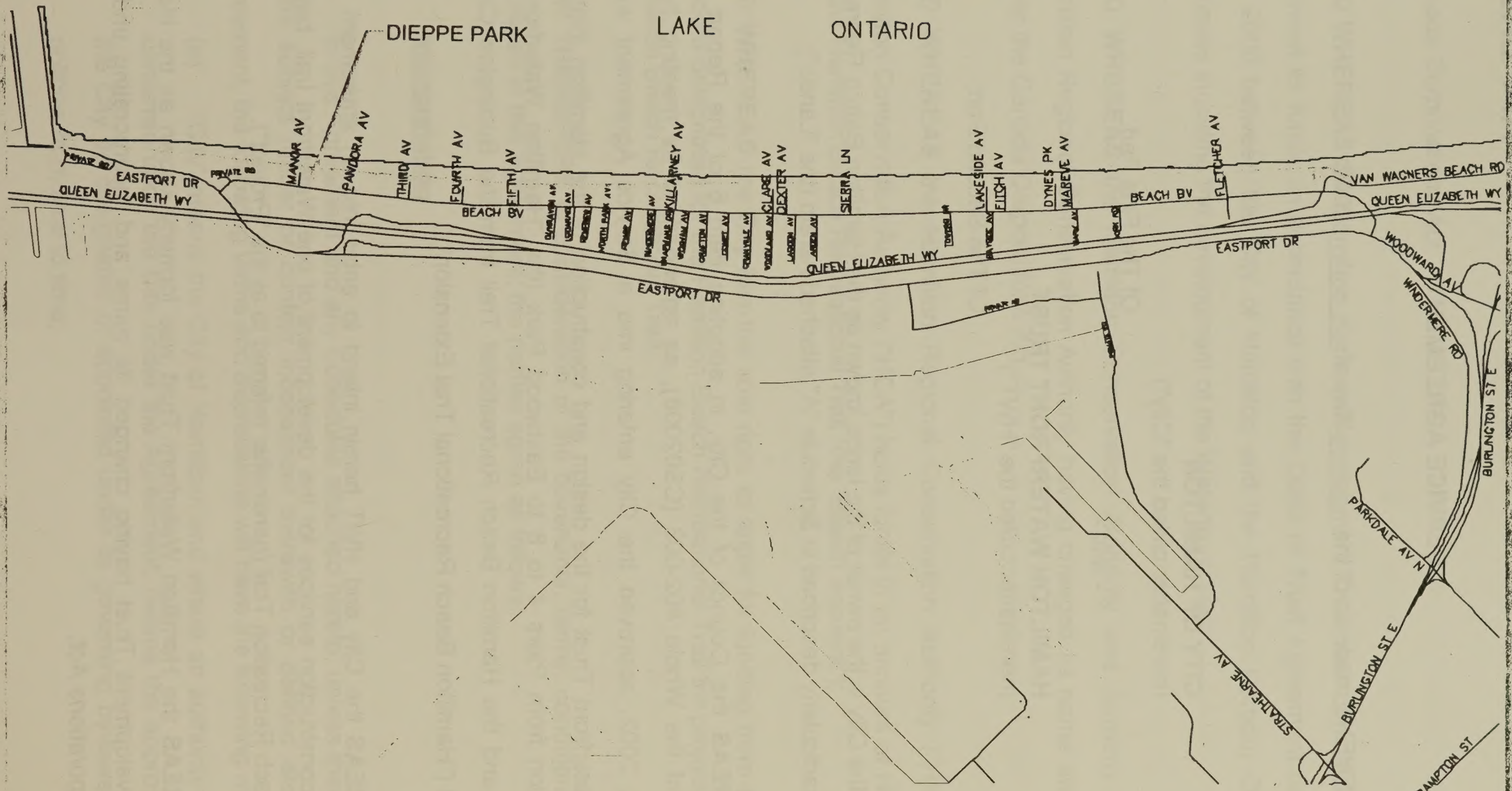
This project is consistent with Council's recently approved strategic priorities for trail development within the City. In addition, the trail is consistent with the objectives of Lake Ontario Trail as outlined by the Waterfront Regeneration Trust.

This report is consistent with the following specific Vision 2020 goals.

- Local Economy: To promote Hamilton-Wentworth's environment as a desirable place to live and work.
- Community well being and Capacity Building: To develop cultural institutions, public facilities, and parks and open space, which inspire community and a sense of place.

APPENDICES

A	Location Plan
B	Reductions of design and construction drawings prepared by HWT
C	Service Agreement between HWT and the City of Hamilton
D	Executive Summary, prepared by the HWT
E	Summary of Public Participation Process


DIEPPE PARK
LAKE
ONTARIO
EASTPORT DR
QUEEN ELIZABETH WY
PRIVATE RD
MANOR AV
PANDORA AV
THIRD AV
FOURTH AV
FIFTH AV
BEACH BV
KILLARNEY AV
CLARE AV
DEXTER AV
SIERRA LN
LAKESIDE AV
FITCH AV
DYNES PK
MAREVE AV
FLETCHER AV
VAN WAGNERS BEACH RD
WOODWARD AV
WINDERMERE RD
BURLINGTON ST E
PARKDALE AV N
STRATHEARNE AV
BRAMPTON ST

Appendix A

Location Plan

MAY 17, 2002

nts

2

APPENDIX B

SERVICE AGREEMENT

THIS AGREEMENT made as of the ______ day of ________, 2002.

Between

CITY OF HAMILTON
(hereinafter called the "City")
Of The First Part,

- and -

HAMILTON WATERFRONT TRUST
(hereinafter called the "HWT")
Of The Second Part,

WHEREAS the City is the owner of the lands known as the Hamilton Beach Recreational Trail, more particularly described in Schedule "A" attached hereto (the "Lands");

AND WHEREAS the Council of the City, in adopting Item 6 of the Report of the Committee of the Whole #02-003 (CS02008), as amended, at its meeting held on January 23, 2002, approved the City entering into a Service Agreement with the Hamilton Waterfront Trust for the design and construction of the Hamilton Waterfront Trail extension from Piers 4 to 8 to Eastwood Park (the "Hamilton Waterfront Trail Extension") and the Hamilton Beach Recreational Trail from the Burlington Canal to Gray's Road ("Hamilton Beach Recreational Trail Extension");

AND WHEREAS the City and HWT herein intend to enter into an agreement for full design and construction services for the development of one Waterfront trail, being the Hamilton Beach Recreation Trail (hereinafter referred to as the "Project").

AND WHEREAS the Hamilton Waterfront Trust was formerly known as the Hamilton Harbour Development Trust having changed its name and incorporating under the Canada *Corporations Act*;

Canada *Corporations Act*;

AND WHEREAS the Hamilton Harbour Development Trust was constituted with the role to invest its funds, in accordance with the Deed of Trust Agreement dated November 24, 2000 between the City of Hamilton and the Hamilton Harbour Commission, for purposes including the development of the Waterfront Trail;

AND WHEREAS the Hamilton Conservation Authority was formerly known as the Hamilton Regional Conservation Authority having changed its name and incorporating under the Canada *Corporations Act*.

AND WHEREAS the Hamilton Regional Conservation Authority ("HRCA") now the Hamilton Conservation Authority ("HCA") holds funds in an account of HWT designated for the Hamilton Beach Recreational Trail (the "Beach account");

AND WHEREAS the City has the sole right to apply for funding from the said Beach Account designated for the Hamilton Beach Recreational Trail for projects related to the Hamilton Beach Recreational Trail;

NOW THEREFORE in consideration of the covenants, terms, conditions and provisos contained in this Agreement, the parties agree as follows:

1. Interpretation

(1) In this Agreement and any Schedules attached hereto, unless there is something in the subject matter or context inconsistent therewith or defined elsewhere in this Agreement, the following terms and expressions will have the following meanings:

(a) "City" means the City of Hamilton, and where an authority or discretion is conferred upon the City under the Agreement, means the appropriate official of the City as designated or appointed under its governing by-laws, resolutions or policies from time to time;

(b) “Agreement” means the agreement covering the performance of the Work, including the supply of all labor, material services, implements, equipment and incidentals necessary for proper and satisfactory execution of the Works and the fulfillment of all other contractual obligations and undertakings and any written supplementary agreements and/or Schedules, all of which form part of the Agreement;

(c) “Hamilton Beach Properties” means the city owned residential lots adjacent to the lands and premises known as the Hamilton Beach Recreational Trail;

(d) “Hamilton Beach Recreational Trail” means the lands and premises set out in Schedule “A”;

(e) “Confederation Park” means the lands and premises set out in Schedule “A”

(f) “Site” means the site at which the Work and/or Services are or are to be carried out, as shown on Schedule “A” attached hereto;

(g) “Services” means any and all services required to be undertaken and/or performed to carry out the completion of the Project;

(h) “Sub-contractor” means any person, partnership or corporation undertaking the execution of a part of the work by virtue of an agreement between that person and HWT and who, while having control over the work to be done under such agreement, is under the direction, control, supervision or jurisdiction of HWT;

(i) “Work” or “Works” means the whole of the works, materials, matters and things, required to be done or supplied, mentioned or referred to in constructing, executing or fabricating the Project in full in accordance with the requirements set out in Agreement.

(2) In this Agreement,

(a) a word importing the masculine, feminine or neuter gender only also includes members of the other genders;

(b) a word defined in or importing the singular number has the same meaning when used in the plural number, and vice versa;

(c) a reference to any Act, by-law, rule or regulation or to a provision thereof shall be deemed to include a reference to any Act, by-law, rule or regulation or provision enacted in substitution therefor or amendment thereof;

(d) the headings to each section are inserted for convenience of reference only and do not form part of the Agreement;

(e) this Agreement shall be governed by, and construed under, the laws of the Province of Ontario;

(f) this Agreement shall not be construed to constitute an agency, partnership or joint venture between the parties hereto; and

(g) any Schedules attached to or referred to in this Agreement shall form an integral part of this Agreement.

(3) Any Work or Services, not explicitly specified herein but which is necessary through the requested conformance to generally accepted industry, safety or product standards, good construction practice", finished appearance, or required by the Building Code or other governing codes, statutes, acts, or regulations or which may be fairly implied as "included", shall be done or supplied by HWT as if such Work or Services had been explicitly specified.

2. Ownership

(1) Title to the lands and premises are owned by the City and shall remain vested in the name of the City.

(2) Without limiting the generality of Section 2.(1), any buildings, structures, fixtures and/or improvements constructed, erected or placed upon the Lands pursuant to this Agreement and the works and/or services provided hereunder shall be the property of the City and ownership vested in the name of the City.

(3) The HCA leases those lands comprising Confederation Park from the City.

3. Project Funding Provisions

(1) The parties acknowledge that the Project is to be conducted in one Phase at a cost of $2,130,000, the funding of which is set out herein Section 3.(2) to (7), inclusive.

(2) The Hamilton Waterfront Trust shall be responsible for funding the entire Project subject to contribution by the City in accordance with the provisions contained in Subsection 3.(5), (6) and (7). HWT shall be responsible for any and all cost overruns.

(3) Subject to Subsections 3.(2), (4), (5), (6) and (7), it is understood that HWT will undertake construction of the Project on the following funding basis:

Waterfront Regeneration Trust funding [1]	$1,000,000.00	
SuperBuild Corporation funding [2]	$1,130,000.00	
	$2,130,000.00	Total Project Cost

[1] HWT to fund any Waterfront Regeneration Trust shortfall

[2] HWT to provide interim financing of SuperBuild funding portion of $1,130,000.00 with HWT to fund any SuperBuild funding shortfall

(4) The Hamilton Waterfront Trust shall provide interim financing in the amount of $1,130,000.00 for the Provincial SuperBuild Corporation ("SuperBuild") funding portion of the Project, as indicated in Subsection 3.(3), and HWT shall be responsible for and fund any shortfall in such SuperBuild funding. The interim financing of the SuperBuild funding portion by HWT shall be on a non-interest bearing basis.

(5) The City shall repay, on a non-interest bearing basis, HWT for the interim financing contributed by HWT for the SuperBuild funding portion of the Project in accordance with Section 3.(4), only to the extent and limit of any SuperBuild funds actually received by the City for the Project. The City shall repay HWT for any HWT contribution to a shortfall in SuperBuild funding for the Project only to the extent and limit

of any "excess" net sale proceeds from the sale of Hamilton Beach Properties, in accordance with Section 3.(6), actually received by the City. The City shall have no obligation to contribute to the funding of this Project except as provided in Subsections 3(5) and (7) herein, notwithstanding any error, omission or neglect on the part of the City causing or resulting in a SuperBuild funding shortfall or other funding shortfall. Notwithstanding any other provision of this agreement, the maximum contribution by the City to a SuperBuild funding shortfall for the Project shall, in no case, exceed the sum of $1,130,000.00 being the SuperBuild funding portion of the Project indicated in Subsection 3.(3).

(6) Any net proceeds from the sale of Hamilton Beach Properties, up to and including the sum of $1,000,000.00, shall be repaid to the City's Reserve for Property Purchases. Any "excess" net proceeds, being those net proceeds over and above the sum of $1,000,000.00, from such sales will be applied to the extent and limit of any SuperBuild funding shortfalls for the Project first [refer to Section 3.(3) as to SuperBuild allocation], and the balance remaining, if any, deposited into a new "Hamilton Beach Park" City Reserve.

(7) The City and HWT agree that the City will apply to the Waterfront Regeneration Trust for Project funding in the amount of $1,000,000.00 and that the City shall pay to HWT for the purposes of the Project such funding, if and when received, as follows:

- (i) fifty percent (50%) of such funds received to be paid to HWT within 30 days from the date of receipt of same by the City; and
- (ii) fifty percent (50%) of such funds received to be paid to HWT upon substantial completion of the Project as certified by the City, less any set-off of amounts owing by HWT to the City pursuant to this Agreement.

4. Financial Records and Other Documentation

(1) HWT shall present such accounting, evidence, data and documents, in a form and at such time as the City may reasonably request, with respect to any aspect of the

Project funding; with respect to any expenses, costs, disbursements, invoice, account and estimate concerning the Project; and with respect to any other matter relating to or concerning this Agreement and the Project.

(2) HWT shall maintain and keep sufficient complete and accurate books, accounts and records relating to the Work and Services to permit the verification and audit thereof.

(3) The City Treasurer or General Manager of Human Resources may inspect and audit the books, accounts, invoices and records of HWT at any time during the period of this Agreement and at any time thereafter as deemed necessary by the City, and HWT shall supply certified copies of payrolls and any other records required, whenever requested by the City after the aforesaid inspection and audit has been made.

(4) HWT shall preserve all original records pertaining in any way to the Work and Services provided herein and the Project for a period of no less than two (2) years after the completion of the Work and Service under this Agreement, and HWT shall require that all Contractors and Subcontractors employed by them preserve all original records pertaining in any way to the Work and Services provided herein and the Project for a similar period of time.

(5) HWT shall file with the City forthwith upon entering into a contract with any Contractor or Sub-contractor a consent and covenant of each Sub-contract under seal, by which the Contractor or Sub-contractor agrees to the provisions in this Section in the same way as if the Section read "Subcontractors" for "HWT".

(6) HWT shall deliver to the City, upon completion of the Project, all "as built" drawings and specifications (2 paper copies and 1 electronic copy), all permits, approvals, testing records and any and all other documents or records whatsoever relating to the Project.

5. **Project Development**

(1) The Project consists of the design, construction and development of a waterfront trail, being the Hamilton Beach Recreation Trail which will entail the creation of a paved

asphalt hard surface multi-purpose trail approximately 6.0 metres wide and 4.2 kilometres in length on Hamilton Beach along the water's edge with illumination at key access points.

(2) The Hamilton Waterfront Trust and the City shall jointly be responsible for all land negotiations with tenants and/or adjacent landowners with respect to the development of the trails, with any real estate, land or legal matters/agreements to be co-ordinated by the City.

(3) HWT covenants and agrees that it shall use the Lands solely for the Project, and for no other purpose whatsoever. HWT shall use the Lands for purposes only of design and construction of a nature trail, in conformity with all rules, regulations and instructions of the City of Hamilton and, in addition, those of the Hamilton Conservation Authority with respect to the Confederation Park portion of the Hamilton Beach Trail.

(4) The City may stop the progress of Work and/or Services or any part or parts thereof in an emergency, or whenever in its sole opinion such stoppage may be necessary to ensure the safety of life, or of a structure, or of a neighboring property, or whenever in their sole opinion the Work and/or Services or any part or parts thereof is/are being carried out in an unsatisfactory manner, and the City shall not be responsible for any loss, expense, costs, charges, damages, indemnities and/or liability which may be sustained, paid or incurred by HWT, any other contractor or contractors, any Sub-contractor, or Sub-contractors, or any other person or persons, by reason of such order to stop by the City.

(5) Despite any other provision in this Agreement, in cases of immediate danger to any public or private property or to public safety, the City may take such emergency measures or may cause such immediate corrective repair work to be done as it deems necessary under the circumstances and shall notify HWT of its action, in writing, as soon as possible.

(6) This Agreement is subject to the right of the City to enter onto the Lands at any time to maintain, repair or inspect the Lands. HWT shall permit the workers of the City, its agents, or contractors, to carry out the acts aforesaid whenever the City shall require the same to be done. In carrying out all such said acts, the City shall replace any excavation in a neat condition but shall not be responsible to resurface or repave the area required for such excavation, such expense for repaving or resurfacing to be borne by HWT.

6. Warranties of HWT

HWT expressly warrants as follows:

(a) HWT is a legal, organized and subsisting trust with all requisite powers, capacities, licenses and permissions under its governing legislation and the other laws applicable to it, and under the deed of trust or other instrument and/or by-laws under which it is organized, to carry on all Work and Services in which HWT is engaged, enter into and exercise its rights and perform and comply with its obligations under this Agreement, and that all actions, conditions and things have been done, taken or fulfilled with respect thereto, that are required by law, contract or otherwise.

(b) HWT and its Contractors and Subcontractors and the respective workforce of each are fully qualified to carry out the Work and Services and perform the Agreement and hold all requisite licenses, permits and other authorization required by law with respect thereto.

(c) HWT is not prohibited or restricted from entering into any of the obligations assumed, liabilities imposed, or restrictions accepted by HWT under this Agreement by any agreement, constating documents, constitution, legislation, statute, act, regulation, order or otherwise.

(d) To the best of HWT's information and belief and after making diligent inquiries HWT is not aware of any material facts or circumstances having a bearing upon its ability to perform its obligations this Agreement which have not been disclosed to the City in writing.

7. Responsibilities and Obligations of HWT

(1) The Hamilton Waterfront Trust (HWT) shall be the lead agency for the development (design and construction) of the Hamilton Beach Recreational Trail from the Canal to Gray's Road. Development of the trail along the water's edge wherever possible and/or along Guise Street shall be incorporated into the design and construction.

(2) HWT's responsibilities and obligations under this Agreement include but are not limited to the following:

(a) HWT shall provide lead design and construction services for the Project;

(b) HWT shall administer, manage and supervise the Project and Site until assumption by the City;

(c) HWT shall perform and complete all work and services hereunder in strict conformance with this Agreement and any written instructions of the City;

(d) HWT shall carry out all work and services and perform all of its obligations under this Agreement in a good professional manner, according to the best standards of practice of the construction industry;

(e) HWT shall employ properly qualified and experienced professionals and workers to carry out all work required in connection with this Agreement, and shall cause its Contractors and Subcontractors and their suppliers to do the same;

(f) HWT shall have an adequate work force with proper equipment in good working condition, and shall have ready access to all materials, equipment and accessories required to perform its obligations under this Agreement, and shall cause its Contractors and Subcontractors and their suppliers to do the same. HWT shall use only new, first class materials, and shall cause its Contractors and Subcontractors and their suppliers to do the same;

(g) Before permitting or allowing any person to participate in the Project, HWT shall advise such person of the terms of this Agreement and shall ensure that all its Contractors and Subcontractors, material suppliers and other parties under its control, direction, supervision and/or jurisdiction are fully informed in regard to the requirements and obligations of this Agreement which affect or apply to the Work, Services or supplies by them;

(h) HWT shall ensure that all persons permitted or allowed by HWT to participate in the Project comply with all lawful orders and instructions of the City, its authorized representatives and employees;

(i) HWT shall provide to the City, within thirty (30) days from the date of execution of this Agreement, a construction schedule and completion date. HWT shall complete the Project no later than November 1, 2002. The completion date herein shall be deemed to be a material term of this Agreement.

(3) HWT shall provide lead design and construction services including but not limited to:

(i) design development to City standards or better in consultation with City staff and design team;

(ii) all designs shall be sealed by a licensed architect/engineer and/or landscape architect, whichever is applicable;

(iii) co-ordination with the City's Official Plan (ie. land use and transportation and/or Special Policy areas);

(iv) being accountable for design and construction activities;

(v) being accountable for budget including monitoring expenditures and revenues to remain within budget;

(vi) establishing a fixed and guaranteed fee and budget for all services and construction costs upon approval of design by Council;

(vii) establish and lead design and construction team including stakeholders, chair and record minutes of meetings;

(viii) community consultation with stakeholders, tenants and landowners;

(ix) obtaining permits and approvals from all agencies having jurisdiction including but not limited to any required environmental impact assessment (ie. Federal Environmental Act), Department of Fisheries approvals, Hamilton Port Authority approvals, Hamilton Conservation Authority approvals and/or City site plan approval and building permits, hydro approval and Trans Northern Pipeline approvals;

(x) tender call, evaluation and award, including implementation of a competitive bidding process;

(xi) contract administration and preparing all cost estimates and schedules;

(xii) construction supervision with quality assurance;

(xiii) all accounting and progress payments;

(xiv) addressing all insurance and indemnification issues with the City;

(xv) ensuring all health and safety requirements are met;

(xvi) commissioning and construction inspections including final inspection;

(xvii) make recommendations to City staff for City Council consideration;

(xviii) liaison with funding partners and obtain additional funding as required;

(xix) provide status reports to City staff and final financial audit statement to City Council at completion of Project; and

(xx) attend and participate in Joint Official opening ceremonies with City staff.

(5) HWT shall prepare project cost estimates outlining design, construction and all other costs for the Project. HWT shall obtain Project budget approval from the City prior to commencing with, engaging in, executing or incurring any detailed design and/or detailed tender/construction agreements, services, works, costs or expenses.

(6) HWT, in consultation with the City, shall be responsible for seeking public input via a Project Advisory Group (PAG) from functional design to detailed design and construction of the trails. HWT, during the construction of the Project until assumption by the City, shall provide the City with bi-weekly briefings of the Project status to date.

(7) HWT shall act as agent for the City of Hamilton in all negotiations with tenants and/or adjacent landowners in the design and construction of the trails.

(8) Until the work on the project is completed, HWT shall be responsible for ensuring the Lands are secured and safeguarded during non-working hours.

(9) HWT shall not excavate or drill or pave on the Lands nor construct, renovate, install or erect any buildings, structures or other facilities without first obtaining the written approval of the City for such works. HWT shall be responsible for all rates and charges for public utilities, if any, used in connection with the Lands or in connection with the work and services carried on by HWT on the subject Lands.

(10) HWT covenants to the City to pay all charges incurred by the City on behalf of HWT for any services, work or materials which may be supplied, done or performed in respect of the Lands and HWT shall forthwith discharge any liens arising therefrom at any time claimed or registered against or in respect of the Lands or any part thereof. In the event that HWT shall fail to cause any liens forthwith to be discharged after being notified thereof, then, in addition to any other right or remedy of the City, the City may, but shall not be obliged to, discharge same by paying the amount claimed to be due and the amount so paid by the City and all costs and expenses, including reasonable solicitor's fees on a solicitor and client basis, incurred by the City in procuring the discharge of such lien, shall be payable by HWT forthwith.

(11) The City shall have the right to continuously inspect the performance of the work and services performed by HWT set out in this Agreement as work and services progress until completion.

(12) HWT shall not deviate from the approved design and construction drawings and specifications, as per Schedule “B” and “C” attached hereto, without the consent of the City in writing.

(13) HWT shall ensure that all its Contractors and Subcontractors inform HWT immediately, in writing, (with a written copy to the City), of any deviation from drawings, specifications or accepted good practice and standards involving or affecting their work, and not to proceed with their work if these deviations will influence or affect the approved design of the Project or the appearance or quality of their work until they are corrected by HWT, but nothing herein shall alter or derogate to the responsibility of HWT and HWT shall be responsible for all work in accordance with the Agreement.

(14) In addition to its other obligations and responsibilities under this Agreement, HWT expressly agrees and covenants as follows:

A. Safety and Environmental Measures

(a) HWT shall ensure, at its own cost and expense, that the Lands and Project are maintained in a condition of good repair and in a safe, clean and tidy condition, and free from hazards until assumption of the Project by the City including but not limited to the following:

(i) During the progress of construction, HWT shall at all times keep the Site and the structure reasonably clean and free from debris, discarded or unnecessary materials, loose soil, empty containers and all other unsightly or potentially dangerous rubbish.

(ii) All material delivered to the Site shall be neatly stored or contained upon delivery and shall be so maintained until used up.

(iii) So far as practical, HWT shall maintain the Site in a clean and safe condition, and shall remove and properly and legally dispose forthwith of any debris and surplus material accumulated at the site, and where requested, HWT shall provide a true copy of the original certificate approval from a waste management system, and a true copy of the original certificate of approval from the place of disposal for all debris and surplus material disposed of by HWT under this Agreement.

(iv) HWT will be required to remove all rubbish and material from boulevards and lawns adjoining the Work and restore same to as good and clean a condition as existed before commencement of the Work.

(v) HWT shall, at its own cost and expense, shore up or otherwise securely support or protect any fences, pavement, boulevards or other structures on the Site and on the adjoining Sites, which may be endangered or which may cause injury during the work, and in case of damage, disturbance or injuries to any such structures during and attributable whether directly or indirectly to any work under this Agreement or to any extra work entering into this Agreement, HWT shall at its own expense and cost repair, rebuild or other wise make good all damage, injuries or disturbance to said structures and put all such structures in condition the same as or equal to that existing previous to its beginning that work.

(vi) HWT shall erect and maintain during construction a dependable temporary fence around the construction Site, barricades and warning lights around all excavations, or other areas which may pose a hazard or unsafe condition.

(vii) HWT shall take reasonable and required measures, including those required by authorities having jurisdiction, to protect public and those employed on work from bodily harm and to protect adjacent public and private property and City's property in work from damage.

(viii) Without limiting the generality of any other provision in this Agreement, HWT shall provide and maintain fences, boarding, guard rails, barriers, shoring, drainage, warning signage, warning lights and night lights and pavement protection as required for protection of workers and the public from injury and of public and private property from damage in accordance with and as required by law and by authorities having jurisdiction;

(ix) HWT shall employ only orderly, experienced and competent persons to do the work and should the City inform them in writing that any person or persons on the work are in the opinion of the City incompetent or disorderly, such person or persons shall be discharged from the work and shall not again be employed on the work without the consent in writing of the City.

(x) HWT shall neither permit nor allow the introduction or use of beer or other alcoholic beverages or liquors or illegal narcotics upon the Lands, Site or about the Project.

(b) upon completion of its obligations and responsibilities under this Agreement, HWT shall immediately cease operations of the Project at the Lands and making whatever arrangements are necessary to leave the Lands in a clean, tidy and safe condition free from any hazards.

(c) HWT shall ensure that all tools, equipment and materials are stored properly and in a safe and secure manner;

(d) HWT shall ensure the use of only recognized, government-approved environmentally compatible and safe products, materials and application methods in the Project;

(e) HWT shall not produce on the Lands or allow to be brought on to the Lands any noxious, offensive, toxic or hazardous substance or any vehicles, equipment or parts which contain any such substances, or any substance which if it were to remain on or escape from the Lands would contaminate the Lands or any other property to which it came in contact.

(f) HWT and all its Contractors and Subcontractors shall endeavor to adequately protect and preserve all existing trees, shrubs and other landscaping items, if any, on the Lands, Site and on the street(s), which do not directly and unavoidably interfere with design and construction of the Project.

(g) Except where otherwise provided for in this Agreement, HWT shall not damage or remove any trees or shrubs on the road allowance or adjoining lands unless the City shall otherwise direct.

(h) HWT shall protect all landscaping and planting stock at the location where, or near to where, the Work and/or Services are to be carried out and repair (or replace where necessary) all damage to same or any other owner's property if resulting from any Work or Services under the Agreement including the transport and storage of materials.

(i) HWT shall make full restitution for such harm and damage resulting from failure to take adequate protective measures, and shall make good damage to work from whatever cause.

(j) HWT acknowledges that it will be acting as the "Constructor" within the meaning of the *Occupational Health and Safety Act* throughout the entire Project. HWT unequivocally acknowledges that it is the Constructor " within the meaning of the *Occupational Health and Safety Act* and undertakes to carry out the duties and responsibilities of the Constructor with respect to the work as required by the said Act.

B. Obstructions, Utilities, Sewers and Road Work, etc.

(a) Except as otherwise provided in this section, HWT assumes all the risks and responsibilities arising out of any obstruction on or under the road allowance and any traffic conditions caused by such obstruction including traffic conditions on any highway or road giving access to the Project area and it shall not make any claim against the City for any loss, damage or expense occasioned thereby.

(b) Before commencing work, HWT shall notify all owners of utilities, pipes, structures or other objects either under on or above the surface within or adjacent to the work area, and request accurate field location.

(c) HWT shall contact all utilities (gas, hydro, telephone, waterworks, etc.) and obtain information regarding presence and exact location and depth of all lines and appurtenances, and shall assume the responsibility for all lines and liability for damages to surface, overhead or underground utilities.

(d) In the course of construction operations which entail the use of mechanical excavating equipment, should HWT find it necessary to work around or near any gas pipe line it shall, except in an emergency situation, or other circumstances as determined by the City, notify each relevant utility company of its intentions, at least twenty-four hours prior to commencement of excavating operations.

(e) HWT shall provide adequate notifications to the owners of other underground installations of its intentions to excavate in the vicinity of their installation.

(f) HWT shall not commence excavating operations in the vicinity of obstructions or utilities until they have been satisfactorily relocated or such other provisions have been made for their continuing function, as may be required by the City, after consultation with any authority having jurisdiction over the affected utilities.

(g) Inconvenience to all owners whose properties abut on the proposed works shall be kept to a minimum by HWT, wherever and whenever it is in its power to do so. Doing this will tend to foster harmonious relations with the affected parties during the period of construction.

(g) In the case of accidental damage to, or interference with any utilities, pole lines, pipe lines, soil-tile or other public or other privately owned works, HWT shall immediately notify the owner of the location and details of such damage or interference.

(h) At the end of the work, HWT shall replace any and all sidewalks, curbs and boulevards damaged by any works or action under this Agreement.

(i) It shall be the duty of HWT to adequately protect at its expense and in manner compatible with public safety, all sidewalks, curbs and boulevards against damage by rolling stock and construction equipment.

(j) All replacement of sidewalks, curbs and boulevards shall be made in accordance with the Standard Specifications of the City, and is subject to inspection and acceptance by the City.

(k) Work on the road allowance shall be carried out only by Contractors and Subcontractors bonded to the satisfaction of the City.

(l) All work on the road allowance shall be to the City Standards.

C. Observance of Laws, Statutes and Regulations

(a) In performance of any its work or services pursuant to this Agreement and otherwise in performing this Agreement, HWT shall comply with, and conform to, all applicable statutes, laws, by-laws, regulations, ordinances, notices, rulings and orders of the federal, provincial or municipal government ("governmental authority or authorities") from time to time in effect during the currency of this Agreement, and where the attention of HWT is called to any violation thereof by the City or any governmental authority, HWT shall immediately desist from and remedy that violation.

(b) HWT shall ensure that all persons supplying work, services or materials to the Project or Works hold all valid and current licenses required by law with respect to the Works, Services or materials to be supplied by them respectively.

(c) Unless otherwise expressly provided in this Agreement, HWT shall be responsible for obtaining and maintaining (at its own cost) all necessary permits, licenses and approvals relating to the Work, Services or Project.

(d) HWT shall comply with the safety by-laws of the City of Hamilton, the *Workplace Safety and Insurance Act*, the *Employment Standards Act, Occupational Health and Safety Act* and all regulations thereunder, any other legislation governing construction or workplace safety, and all instructions issued by the City or any inspector appointed by the Province or City and shall also ensure its Contractors and Subcontractors and all persons supplying work, services or materials do so.

(e) HWT acknowledges and agrees that it shall be an occupier pursuant to the *Occupier's Liability Act*, R.S.O. 1990 during the performance of its Works and Services hereunder.

(f) HWT shall ensure that its representatives, officers, employees, contractors, subcontractors and agents comply with,

    (1) the *Construction Lien Act;* and

    (2) the City's Fair Wages Policy.

        (i) The City has adopted a Fair Wage Policy and Fair Wage Schedule, respecting contractors and subcontractors, that must be adhered to on this Project. A copy of the Policy & Schedule are available, at no charge, upon request from the City.

(ii) HWT shall comply in all respects with the Fair Wage Policy and Fair Wage Schedule and is fully responsible for ensuring that all of its contractors and subcontractors also comply in all respects with that policy and schedule.

(iii) Without limiting the generality of subsection (ii), all workers employed by HWT and its Contractors and Subcontractors in connection with the Works, Services or Project shall be paid or provided with wages, benefits and hours of work in accordance with the City's Fair Wage Policy and Fair Wage Schedule which were in effect on the date of this Agreement.

(15) HWT and the City acknowledge that there is presently fencing existing along the property line between the Hamilton Beach Recreational Trail and adjacent lands. HWT shall be responsible for replacing all such fencing with the consent of the respective landowners. The new fence shall consist of a 1.2 metre high frost fence. HWT shall have the right to negotiate with adjacent landowners for cost sharing for such other fence of a better quality and more expensive nature as HWT and the adjacent landowners may agree. HWT shall be responsible for all costs associated with the removal of the existing fencing and construction of new fencing (the "fencing construction"), subject to HWT's right to enter into agreements with respective landowners for cost sharing of such fencing construction. The City shall have no obligation to contribute to the construction of such fencing and HWT shall release the City from same and use its best efforts to obtain a release from adjacent landowners of the City from any present or future obligation to contribute to the construction and erection of new fencing along such property line for a period starting at the commencement date of the Project until two (2) years from the date of assumption of the Project by the City.

8. Responsibilities and Obligations of the City Of Hamilton

(1) The City of Hamilton, through its Council, shall have final approval of the following:

(a) all design and trail alignment issues as well as any and all land disposition matters with respect to City owned lands for the Project; and

(b) real estate and legal matters, with the City being involved in all negotiations with respect to City lands including but not limited to real estate dispositions, easements or otherwise but excluding construction contracts.

(2) The Director of Design and Construction, Community Services Department, shall be the liaison between HWT and the City Council and shall be the contact person with HWT staff and will co-ordinate City staff activities, including but not limited to communications between City and HWT staff, requests for technical information, consistency and co-ordination with other municipal projects, Official Plan and land use plans and initiatives.

(3) City staff shall perform the following roles:

(i) be part of the HWT team and provide input in design development and route alignment options;

(ii) review status reports from HWT, including design, construction and financial status and attend all meetings;

(iii) provide HWT with all relevant and background documents relating to the Project to be undertaken by HWT;

(iv) provide HWT access to all technical information, data, maps, plans, air photos and servicing information relating to the projects to be undertaken by HWT;

(v) apply to the Waterfront Regeneration Trust for Project funding;

(vi) negotiate real estate and land issues and the legal aspects of same;

(vii) co-ordinate between Federal Discovery Centre and HWT;

(viii) review designs, tender drawings, estimates and make recommendations to City Council with respect to same;

(ix) make recommendations for take over/assumption process; and

(x) provide coordination of the Project with other municipal capital projects, land uses and official plans; and

(xi) attend and participate in Joint Official opening ceremonies with HWT staff.

9. Breach by HWT

(1) In the event that HWT shall breach any of the terms, covenants and/or conditions of this Agreement, fail to perform any of its covenants, responsibilities or obligations under or in this Agreement or by act, omission or neglect not prosecute the Work and/or Services or any part or parts thereof properly or fail to perform any provision of this Agreement, the City may, in its sole and unfettered discretion,

(a) five (5) Working Days after the issuance of a written notice to that effect from the City to HWT, unless such Work and/or Services are of an emergency nature, undertake to do anything that will remedy the default and may, without foregoing any other remedies, perform the Work and/or Services and HWT shall be required to pay to the City all reasonable costs, expenses and expenditures of the City to perform such Work and/or Services forthwith upon written demand by the City, and the City shall have no liability to HWT for any loss or damage whatsoever resulting from such action by the City; or

(b) in the event of emergency Work and/or Services are necessitated as a result of the act, omission or neglect of HWT, such Work and/or Services may be undertaken immediately by the City and all reasonable costs, expenses and expenditures of the City of such emergency Work and/or Services shall be borne by HWT and payable forthwith upon written demand by the City, and the City shall have no liability to HWT for any loss or damage whatsoever resulting from such action by the City; or

(c) the City may give notice of such breach to HWT in writing to the effect that unless HWT rectifies such breach within twenty (20) days of such notice, the City may at its option, terminate this Agreement forthwith;

in either case without prejudice to any other right or remedy the City may have.

(2) Notwithstanding Section 9(1) above, the City may also, in its reasonable and unfettered discretion, cancel any permit and/or approval and may stop up and close the Project or a part thereof and may keep same stopped up and closed until such breach or default has been remedied. HWT covenants and agrees that any action taken by the City under this Section shall not create any liability by the City to HWT.

(3) The City's rights under Section 9 shall not in any manner be prejudiced even if the City has overlooked or condoned any non-compliance with the terms, covenants and conditions of this Agreement by HWT nor shall the City's rights under Section 9 in any way limit or restrict any other right or privilege that the City may have under this Agreement or provided by law. Upon default by HWT under any term, covenant or condition of this Agreement, and at any time after the default, the City shall have all rights and remedies provided by law and by this Agreement.

10. No Waiver of Breach

No delay or omission by the City in exercising any right or remedy shall operate as a waiver of them or of any other right or remedy and no single or partial exercise of a right or remedy shall preclude any other or further exercise of them or the exercise of any other right or remedy. The failure of the City to insist upon strict performance of any of the covenants, terms or conditions of this Agreement, in any one or more instances, shall not be construed as a waiver of its right to insist on compliance with same or any other covenant, term or condition at any time. Furthermore, the City may remedy any default by HWT in any reasonable manner without waiving the default remedied and without waiving any other prior or subsequent default by HWT. All rights and remedies of the City granted or recognized in this Agreement are cumulative and may be exercised at any time from time to time independently or in combination.

11. HWT's Responsibility for Losses and Damages

(1) HWT shall itself, and shall cause its agents and all workers and persons employed by them, or under its control, or employed by, or under the control of sub-contractors, to use due care that no persons or property is injured, and HWT shall be solely responsible for all damages by whomsoever claimed in respect of any such injury.

(2) HWT shall at its own expense make such temporary arrangements as may be necessary to ensure the avoidance of any such damages or injury and to prevent the interruption of or danger to the traffic on any railway or any public or private road.

(3) All loss or damage occasioned to the work or arising out of the nature of the work to be done, or from the normal action of the elements or from any reasonably foreseeable circumstances in the prosecution of the same, or from any normal obstruction of difficulties which may be encountered in the prosecution of the work having regard to the nature thereof, shall be sustained and borne by HWT at its own expense, and all material required to replace any defective or rejected work, or to restore any failure shall be at the expense of HWT.

12. Indemnification

(1) HWT hereby indemnifies and shall save the City, its elected officials, representatives, officers, and employees harmless from and against any demands, claims, all claims for bodily injury (including death) or property damage, actions, causes of action, suits or other proceedings, damages, loss, injuries, fines, penalties, interest, expenses and costs (including legal costs on a solicitor and client basis) that are caused to or incurred by, or made or instituted against, any of them or to which any of them may be liable by reason of HWT carrying out or failing to carry out any obligation or responsibility to which it is subject, or exercising any right to which it is entitled, under this Agreement and/ or the breach by HWT of any of the terms, covenants, warranties or conditions of this Agreement, except to the extent that the same are caused by the negligence or deliberate wrong-doing of the City or other person entitled to indemnification under this section.

(2) HWT agrees at all times to indemnify and save harmless the City, its elected officials, representatives, officers, and employees harmless from and against any demands, claims, actions, suits or other proceedings, damages, loss, injuries, fines, penalties, expenses and costs (including legal costs on a solicitor and client basis) that are caused to or incurred by, suffered, or made or instituted against, any of them or to which any of them may be liable by reason of any act or omission, neglect or default on the part of any officers, employees, servants, members, contractors, subcontractors, consultants, agents, invitees, licensees of HWT or of any person permitted or allowed by HWT to participate in the Project or by reason of any breach, violation or non-performance of this Agreement by HWT caused by any officers, employees, servants, members, contractors, subcontractors, consultants, agents, invitees, licensees of HWT or of any person permitted or allowed by HWT to participate in the Project.

(3) Provided further that the City shall not be responsible for any personal injury, including death, or property damage which may be sustained by HWT or any other person upon the Lands or upon lands adjacent thereto, arising out of any accident or occurrence upon the Lands; all risks of such injury or damage being assumed by HWT, who shall hold the City harmless and indemnified therefrom. Without limiting the generality of the foregoing, it is understood and agreed that HWT shall be responsible for providing and maintaining fire and theft insurance coverage respecting its property upon the Lands.

(4) The City shall, in no way, be responsible for the theft of any tools, equipment, materials or other property owned or used by HWT or by any person permitted or allowed by HWT to participate in the Project or by any other person. Nor shall the City, in any way, be responsible for any damage, loss, injury or death to person or property, however caused, resulting from HWT's use of the Lands for the Project or of any other property owned by the City and provided to HWT for use in the Project or from the use of the Lands or of such other property by any person permitted or allowed by HWT to participate in the Project. Nor shall the City, in any way, be responsible for any damage, loss, injury or death to person or property, however caused, resulting from the condition

of the Lands or of any other property owned by the City and provided to HWT for use in the Project.

(5) The right of indemnification granted to the City or other person entitled to indemnification in this Section shall extend to any amount paid by that person in the settlement of any claim against it, and in entering into any such settlement, that person may exercise its reasonable discretion as to the amount to be paid, but that person shall serve prior notice of any intended settlement on HWT, at least 5 Business Days prior to agreeing to any such settlement.

(6) The City may enforce the rights of indemnity conferred on the elected officials, representatives, officers, and employees of the City under this Section on their behalf and to the same extent as if they were parties to the Agreement.

(7) Despite the indemnity provided in this Section, where in the opinion of the City, HWT has failed to rectify any damage, injury or infringement or has failed to adequately compensate any person for any damage, injury or infringement for which HWT is responsible under this Agreement, the City following notices in writing to HWT of its intention so to do, may withhold payment of moneys due to HWT under this or any other Agreement until HWT has rectified that damage, injury or infringement or has paid adequate compensation for that damage, injury or infringement.

(8) The rights to indemnity provided for in this Section shall be deemed to be in addition to any rights with respect to insurance in favor of the City, its elected officials, representatives, officers and employees provided under this Agreement.

(9) The rights to indemnity provided for in this Section shall survive the expiration or any termination of this Agreement, and shall prevail where inconsistent with any other provision in this Agreement.

13. Insurance

(1) HWT shall, at its own cost and expense (including the payment of all deductibles), obtain and maintain in force for the duration of this Agreement, in a form and with an insurance company acceptable to the City, a policy or policies of:

(a) Commercial General Liability Insurance, including but not limited to bodily and personal injury liability, contractual liability, and contingent employers liability. Such policy shall have an inclusive limit of not less than five million ($5,000,000) dollars, or such greater amount as the City may from time to time request, for each occurrence involving personal injury and property damage.

(b) Standard Form Automobile Liability Insurance that complies with all requirements of the current legislation of the Province of Ontario, having an inclusive limit of not less than $2,000,000 or such greater amount as the City may from time to time request, for any one occurrence in respect of the use or operation of licensed vehicles owned or leased by HWT for the performance of the work and provision of services.

(c) Non-Owned Automobile Liability Insurance in standard form with an inclusive limit of not less than $2,000,000 or such greater amount as the City may from time to time request, for any one occurrence in respect of the use or operation of vehicles that are not owed by HWT;

(d) Watercraft Liability Insurance with respect to any HWT owned or non-owned watercraft as may be used directly or indirectly in connection with the Project, with an inclusive limit of not less than $2,000,000 or such greater amount as the City may from time to time request for any one occurrence;

(2) All polices of insurance within the scope of subsection (1) above shall, by its wording or by endorsement, insure HWT; include the City as an additional insured, to the extent of HWT's obligations to the City hereunder; and shall include, but not be limited to, a deductible amount of no more than $10,000; blanket contractual liability; land liability; completed operations liability; owners and contractors liability; non-owned automobile liability; cross-liability and severability of interest provisions; extend to cover

the liabilities assumed by HWT under this Agreement; and extend to insure against loss of, or damage to, property owned by the City or by others; and include coverage as unnamed insureds, any architect, engineer or other consultant employed or retained by the City, all contractors, subcontractors, servants and the employees of HWT and those persons permitted or allowed by HWT to participate in the Project, provided that the City reserves the right to require HWT to add further parties as additional insureds; and preclude subrogation claims against the City and any other person insured under the policy.

(3) Such policy or policies shall also require that thirty (30) days' prior notice of any change to or modification, amendment, cancellation, expiration or termination of the coverage under this policy or policies be given to the City; and be satisfactory to the Solicitor for the City. HWT shall deliver to the City a Certificate for the aforesaid policy current for each year during the Term or any renewal thereof prior to the expiry date of the policy for the previous year. In the event that HWT fails to do so, then this Agreement may be immediately terminated at the City's option without further notice being given by the City to HWT.

(4) At the time of execution of this Agreement and prior to commencing the Work, Services and/or Project, HWT shall deliver to the City a Certificate(s) of this policy or policies originally signed by an authorized agent of the insurance company of such insurance, or (at the City's election) a certified copy of the insurance policy or policies, and HWT shall furnish the City with a copy of the certificate or certified copy concerning renewal of each insurance policy during each year of the term of this Agreement, and in each case that certificate shall be provided to the City at least sixty (60) days prior to the renewal date of the policy or policies that it replaces.

(5) Notwithstanding anything to the contrary contained herein, such policy or policies shall be kept in force for a period of time ending no sooner than one (1) year after the expiry or termination of this Agreement or the completion of the Project, whichever occurs last.

(6) Any insurance coverage acquired hereunder by HWT will, in no manner, discharge, restrict or limit the liabilities assumed by HWT under this Agreement.

(7) HWT shall not do or omit to do anything that may breach, limit, restrict or prejudice the terms or conditions of the insurance coverage referred to herein.

(8) The insurance coverage referred to herein shall be primary and not call into contribution any other insurance coverages available to the City and such coverage shall preclude subrogation claims against the City and any other person insured under the policy.

14. Term and Termination

(1) This Agreement shall commence as of January 1, 2002 and thereafter shall remain in full force and effect until completion of the Project unless terminated early in accordance with the terms of this Agreement.

(2) Notwithstanding any other provision of this Agreement, the City may suspend or terminate this Agreement at any time if the City deems, in its sole and unfettered discretion, that it requires the lands set aside for the Project for an emergency. The City shall not be liable to HWT for any costs incurred by the suspension or termination of this Agreement.

(3) The City may terminate this Agreement upon providing notice to HWT in the event that HWT fails to fulfill or breaches any of the terms, covenants or conditions of this Agreement in accordance with Section 9.

(4) Termination of this Agreement by the City shall be without penalty or liquidated damages, provided that any liability or obligations, which arose during the continuance

of the Agreement, and remaining unsatisfied, shall nevertheless continue until satisfied by the respective party.

15. Assumption of Responsibility By City

(1) The City shall not be obliged to take delivery of the Project as completed, nor to accept responsibility for the construction, Works or Services to which the Project relates, unless and until,

- (a) the site is safe for occupancy and use by the City and its employees and the public, as determined by the City in its sole and unfettered discretion; and
- (b) the Project is completed as determined by the City in its sole determination;

(2) Neither the taking of delivery of the Project as complete, nor the assumption of responsibility by the City for the Project shall release HWT from its responsibility,

- (a) to complete all remaining work (including the prompt remedy of any identified deficiencies); and
- (b) for the safety, management and supervision of its Contractors and Subcontractors, employees and other suppliers.

(3) HWT shall guarantee all work and services and all aspects thereof of any nature performed with respect to the Project and its responsibilities and obligations under this Agreement for a period of one (1) year from the date of assumption of the Project by the City.

16. Assignment

(1) HWT shall not assign this Agreement, or any right or obligation hereunder, without the express consent in writing of the City first being obtained, which consent the City may arbitrarily withhold. Any purported assignment contrary to this Section shall be of no legal effect.

(2) Neither the use of one or more Contractors and Subcontractors to carry out part of the Works and/or Services, nor the assignment of the whole of any part of this Agreement or the Work or Services to be done under it shall relieve HWT of its obligations and liability to the City.

17. Dispute Resolution

(a) In the event of any dispute or controversy between the parties with respect to or arising out of this Contract, the parties will attempt to resolve such dispute or controversy by negotiation and discussion.

(b) The parties hereto agree that if any of the parties is of the opinion that any such dispute or controversy cannot be resolved through negotiation and discussion then, unless specifically stated otherwise in this Agreement, any and all disputes or controversies arising out of or in any way connected with the performance or breach of this Agreement shall be referred to and finally settled by binding arbitration from which there shall be no appeal. The party deciding to refer the dispute or controversy to arbitration shall give written notice to the other parties of such decision to refer. The place of arbitration shall be Hamilton, Ontario and, except as provided herein, the arbitration shall be conducted under the authority of the *Arbitration Act*, S.O. 1991, as amended.

(c) The parties to the arbitration shall agree upon the appointment of one (1) arbitrator within thirty (30) days of the affected party or parties having received notice of the decision to refer a dispute or controversy to arbitration, or such other mutually agreed upon time period. In the event that the parties are unable to agree on an arbitrator as set out above, any party may make application to the appropriate court for the appointment of an arbitrator in accordance with the said *Arbitration Act*. No person shall be appointed to act as an arbitrator who is in any way interested, financially or otherwise, in the conduct of the services to be provided under this Contract or in the business or other affairs of the parties.

(d) Each party shall bear its own costs of the arbitration, including all witness and counsel fees. The City and HWT will each pay 50% of the arbitrator's fees and expenses, plus applicable taxes.

(e) The arbitration shall be held either at the earliest possible convenience of the arbitrator or at such other date as the parties may agree. The arbitrator shall proceed to hear the submissions of the parties and shall render his or her award within thirty (30) days after hearing the submissions, unless otherwise agreed to by the parties.

18. Notice

(1) Any notice required or permitted to be given by either party hereto, unless otherwise specified, must be in writing and shall be sufficiently given if delivered or if mailed by prepaid registered mail, or transmitted by facsimile to the appropriate address shown below.

(a) if to the City: Domenic Lunardo, Director of Design and Construction,
Community Services Department, City of Hamilton
330 Wentworth Street North
Hamilton, Ontario L8L 5W2
Facsimile: 905-546-2443

(b) if to HWT: Warner Plessl, Executive Director
Hamilton Waterfront Trust
51 Stuart Street , 2nd Floor,
Hamilton, Ontario L8L 1B5
Facsimile: 905-540-4498

(c) such other address of which the party to be notified shall have given notice to the other party in accordance with Section 18(1) to (3) inclusive.

(2) Any notice, if delivered or transmitted by facsimile, shall be deemed to have been given or made on the date delivered or transmitted, and if mailed, on the third business day following the date on which it is mailed. In the event of an actual or imminent disruption of postal service in Canada, notice may not be given by mail.

19. Severability

If any provision of this Agreement or portion thereof or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable:

(a) the remainder of this Agreement and its application to any person or circumstances shall not be affect thereby; and

(b) the parties hereto will negotiate in good faith to amend this Agreement to implement the intentions set forth herein.

Each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

20. Non-disclosure and No Comment

(1) HWT shall not disclose details relating to the Agreement, Works, Services or Project to any outside person not engaged in work relating to the Agreement, Works, Services or Project, and shall restrain its employees, subcontractors and those persons permitted to participate in the Project by HWT from giving unauthorized information with respect thereto.

(2) HWT shall refer all inquiries from whatever source relating to the works to be undertaken or undertaken within the scope of the Agreement to the City. The City shall address all public relations matters concerning the Project.

21. General

(1) No amendment, modification or supplement to this Agreement shall be valid or binding unless set out in writing and executed by the parties hereto.

(2) This Agreement contains the entire agreement between the parties hereto with respect to the subject matter hereof. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressed in it.

(3) Where the work carried out by HWT consists of more than one party, all obligations of HWT shall be joint and several unless otherwise specifically provided.

(4) The City shall have the right to satisfy any amount from time to time owing by it to HWT by way of a set-off against any amount from time to time owing by HWT to the City, including but not limited to any amount owing to the City pursuant to HWT's indemnification pursuant to section 12 hereof. Without limiting the generality of the foregoing, the City may satisfy any amount owing to it pursuant to this Agreement and Project from the amount held by the City from the Waterfront Regeneration Trust funds until assumption of the Project by the City, as set out in Section 3.(8).

(5) Subject to Section 16 above, this Agreement shall enure to the benefit of, and be binding upon, each of the parties hereto, and each of their respective successors and assigns.

IN WITNESS WHEREOF the parties have executed this Agreement

CITY OF HAMILTON

____

Robert Wade – Mayor

____

Date

____

Kevin Christenson – City Clerk

____

Date

HAMILTON WATERFRONT TRUST

Per: ____________________________________

____

Title

____

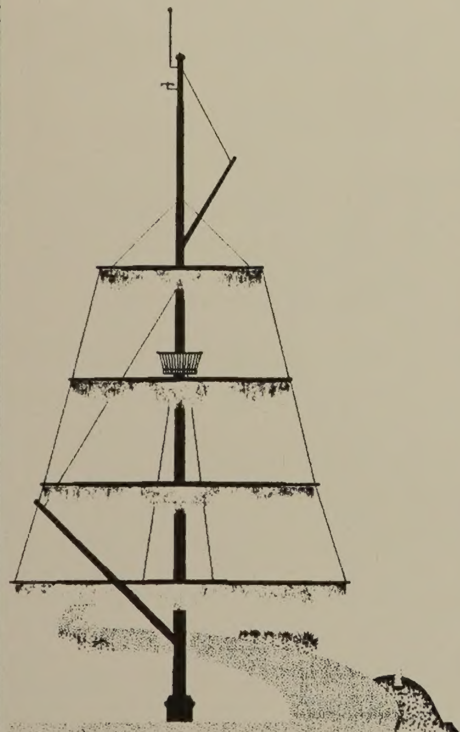
Date

c/s

SCHEDULE “A”

DESCRIPTION OF THE LANDS

HAMILTON BEACH RECREATIONAL TRAIL



GENERAL NOTES

PROPERTY PLAN

TRAIL ALIGNMENT & LANDSCAPE PLANS

PLAN L-1	STA 00+00 to 01+75
PLAN L-2	STA 02+00 to 04+00
PLAN L-3	STA 04+25 to 06+00
PLAN L-4	STA 06+25 to 08+00
PLAN L-5	STA 08+25 to 10+00
PLAN L-6	STA 10+25 to 12+25
PLAN L-7	STA 12+50 to 14+25
PLAN L-8	STA 14+50 to 16+25
PLAN L-9	STA 16+50 to 18+25
PLAN L-10	STA 18+50 to 20+25
PLAN L-11	STA 20+50 to 22+50
PLAN L-12	STA 22+75 to 24+50
PLAN L-13	STA 24+75 to 26+50
PLAN L-14	STA 26+75 to 28+50
PLAN L-15	STA 28+75 to 30+50
PLAN L-16	STA 30+75 to 32+75
PLAN L-17	STA 33+00 to 34+75
PLAN L-18	STA 35+00 to 36+75
PLAN L-19	STA 37+00 to 39+00
PLAN L-20	STA 39+25 to 41+00
PLAN L-21	STA 41+25 to 43+00
PLAN L-22	STA 43+25 to 45+00
PLAN L-23	STA 45+25 to 46+25

DETAILS

PLAN D-1
PLAN D-2
PLAN D-3

BUILDINGS

PLAN A-1
PLAN A-2
PLAN A-3
PLAN A-4
PLAN A-5
PLAN A-6
PLAN A-7
PLAN A-8
PLAN A-9
PLAN A-10

STREET ENDS

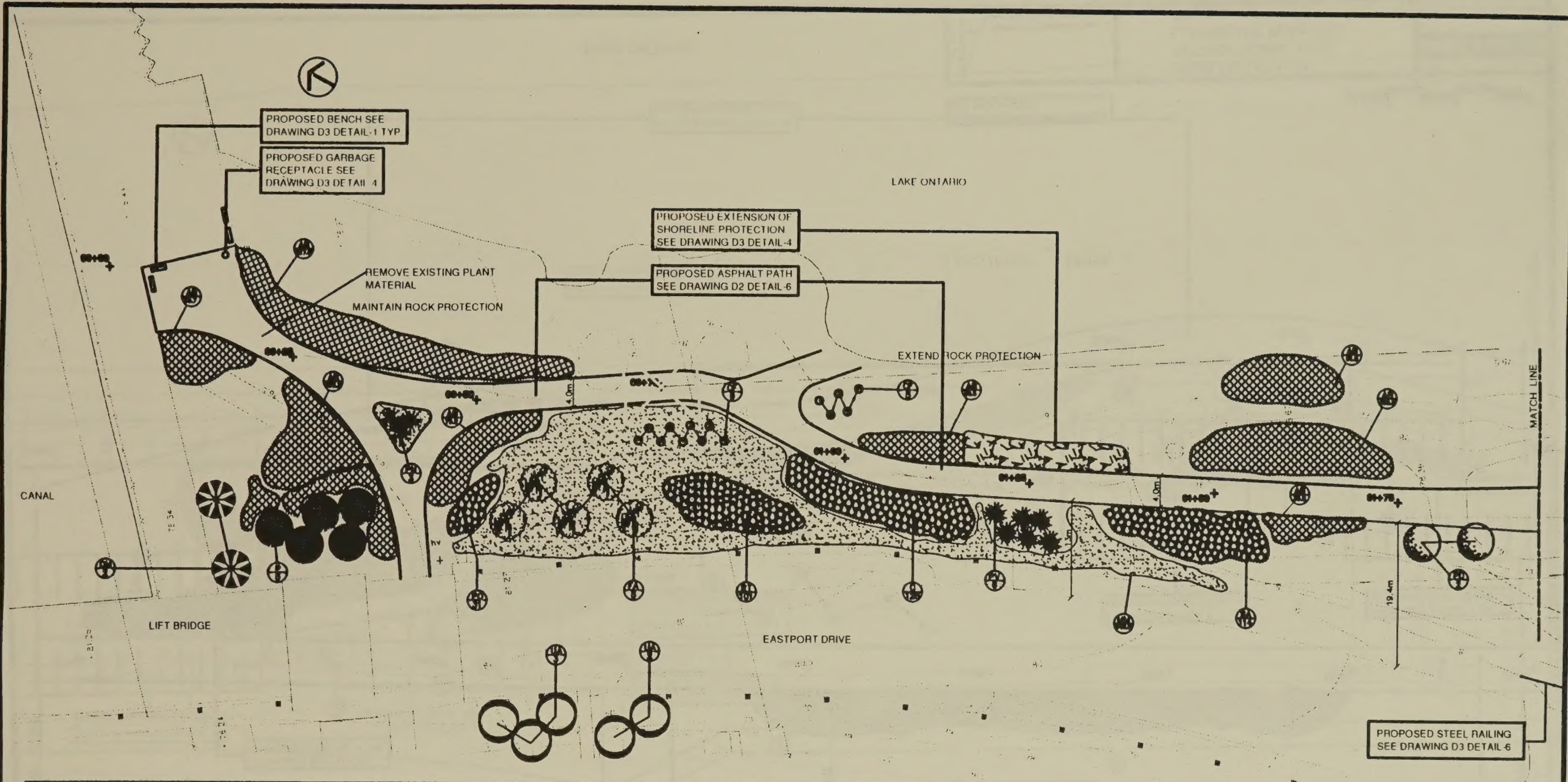
PLAN S-1
PLAN S-2
PLAN S-3
PLAN S-4
PLAN S-5

SITE SERVICES
PLAN H-1
PLAN H-2
PLAN H-3

ELECTRICAL
PLAN E-1
PLAN E-2

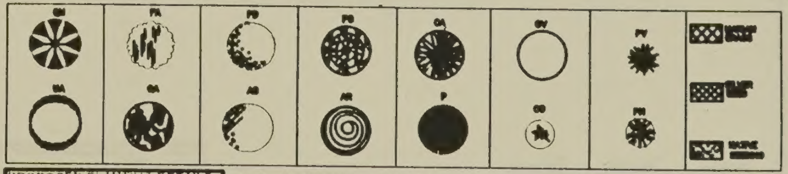
Hamilton Waterfront Trust

SCHEDULE A


PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP
PROPOSED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL 4
REMOVE EXISTING PLANT MATERIAL
MAINTAIN ROCK PROTECTION
PROPOSED EXTENSION OF SHORELINE PROTECTION SEE DRAWING D3 DETAIL-4
PROPOSED ASPHALT PATH SEE DRAWING D2 DETAIL-6
LAKE ONTARIO
EXTEND ROCK PROTECTION
MATCH LINE
CANAL
LIFT BRIDGE
EASTPORT DRIVE
4.0m
19.4m
PROPOSED STEEL RAILING SEE DRAWING D3 DETAIL-6

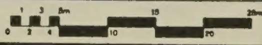
LEGEND	BOTANICAL NAME	COMMON NAME	QUANTITY	CALIPER	HEIGHT	CONDITION	REMARKS & NOTES
	TREES						
GM	QUERCUS MACROCARPA	BUR OAK	66	60 mm		W.B	
UA	ULMUS AMERICANA	WHITE ELM	21	60 mm		W.B	
CO	CELTIS OCCIDENTALIS	HACKBERRY	17	60 mm		W.B	
PN	PRUNUS NIGRA	CANADA PLUM	20			5 GAL	
PV	PRUNUS VIRGINIANA	CHOKECHERRY	67			5 GAL	
FA	FRAXINUS AMERICANA	WHITE ASH	33	60 mm		W.B	
QA	QUERCUS ALBA	WHITE OAK	44	60 mm		W.B	
PD	POPULUS DELTOIDES	EASTERN COTTONWOOD	05	60 mm		W.B	
AS	ACER SACCHARUM	SUGAR MAPLE	35	60 mm		W.B	
PS	PRUNUS SEROTINA	BLACK CHERRY	04			5 GAL	
P	PINUS STROBUS	WHITE PINE	08		5m	W.B	
AR	ALNUS RUGOSA	SPECKLED ALDER	03			5 GAL	
AA	AMELANCHIER ARBOREA	ALLEGHANY SERVICEBERRY	30			5 GAL	
CA	CORNUS ALTERNIFOLIA	ALTERNATE LEAVED DOGWOOD	10			5 GAL	
OV	OSTRYA VIRGINIANA	IRONWOOD/HOP HORNBEAM	39	60 mm			
	GRASSES & GROUNDCOVER						
AB	AMMOPHILA BREVILIGULATA	MARRAM GRASS	10000			PLUGS	60cm O/C
PA	POTENTILLA ANSERINA	SILVER WEED	118			[illegible]	30cm O/C
SM	NATIVE SEEDING	DRY SOILS MEADOW MIX	1000				[illegible]

LEGEND	BOTANICAL NAME	COMMON NAME	QUANTITY	CALIPER	HEIGHT	CONDITION	REMARKS & NOTES
	SHRUBS						
AM	ARONIA MELANOCARPA	BLACK CHOKEBERRY	45		60 cm	POTTED	
CR	CORNUS RACEMOSA	GREY DOGWOOD	08		60 cm	POTTED	
CS	CORNUS STOLONIFERA	RED OSIER DOGWOOD	46		60 cm	POTTED	
IV	ILEX VERTICILLATA	WINTERBERRY	17		60 cm	POTTED	
SL	SALIX LUCIDA	SHINING WILLOW	08		60 cm	POTTED	
O	CORNUS AMOMUM OBLIQUA	SILKY DOGWOOD	102		60 cm	POTTED	
CF	CORNUS FLORIDA	PINK DOGWOOD	79		60 cm	POTTED	
PO	PHYSOCARPUS OPULIFOLIUS	NINEBARK	90		60 cm	POTTED	
SA	SYMPHORICARPUS ALBA	SNOWBERRY	166		60 cm	POTTED	
RT	RHUS TYPHINA	STAGHORN SUMAC	10		60 cm	POTTED	
SE	SALIX EXIGUA	SANDBAR WILLOW	100		60 cm	POTTED	
SC	SAMBUCUS CANADENSIS	ELDERBERRY	46		60 cm	POTTED	
SP	SAMBUCUS PUBENS	RED BERRIED ELDER	13		60 cm	POTTED	
S	SPIREA ALBA	NARROWLEAF SPIREA	22		60 cm	POTTED	
VA	VIBURNUM ACERIFOLIUM	MAPLELEAF VIBURNUM	30		60 cm	POTTED	
VD	VIBURNUM DENTATUM	ARROWROOT VIBURNUM	15		60 cm	POTTED	
VL	VIBURNUM LENTAGO	NANNY BERRY	100		60 cm	POTTED	


GM
FA
PD
PS
QA
OV
PV
MARRAM GRASS
UA
CA
AS
AR
P
CO
PN
SILVER WEED
NATIVE SEEDING

PROPOSED PLANTING DETAILS
SEE DRAWING D1

NOTE: [illegible] TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION


1
3
5m
15
25m
0
2
4
10
20

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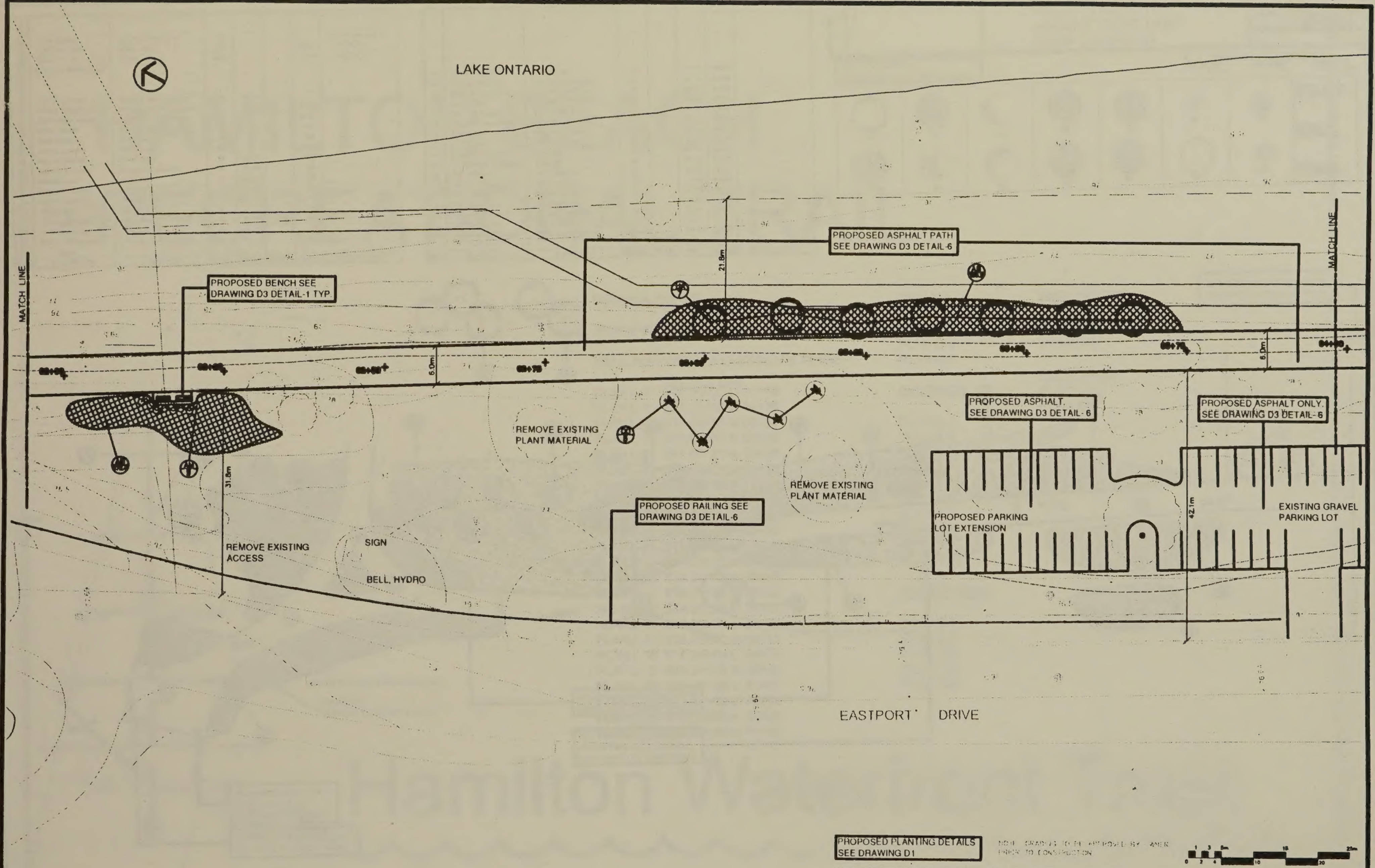
Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date

Scale AS SHOWN

Dwg. No.
1


LAKE ONTARIO
MATCH LINE
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
21.8m
6.0m
REMOVE EXISTING PLANT MATERIAL
PROPOSED ASPHALT. SEE DRAWING D3 DETAIL-6
PROPOSED ASPHALT ONLY. SEE DRAWING D3 DETAIL-6
MATCH LINE
31.8m
REMOVE EXISTING ACCESS
SIGN
BELL, HYDRO
PROPOSED RAILING SEE DRAWING D3 DETAIL-6
REMOVE EXISTING PLANT MATERIAL
PROPOSED PARKING LOT EXTENSION
42.1m
EXISTING GRAVEL PARKING LOT
EASTPORT DRIVE
PROPOSED PLANTING DETAILS SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION
0 1 2 3 4 5m 10 15 20 25m

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HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
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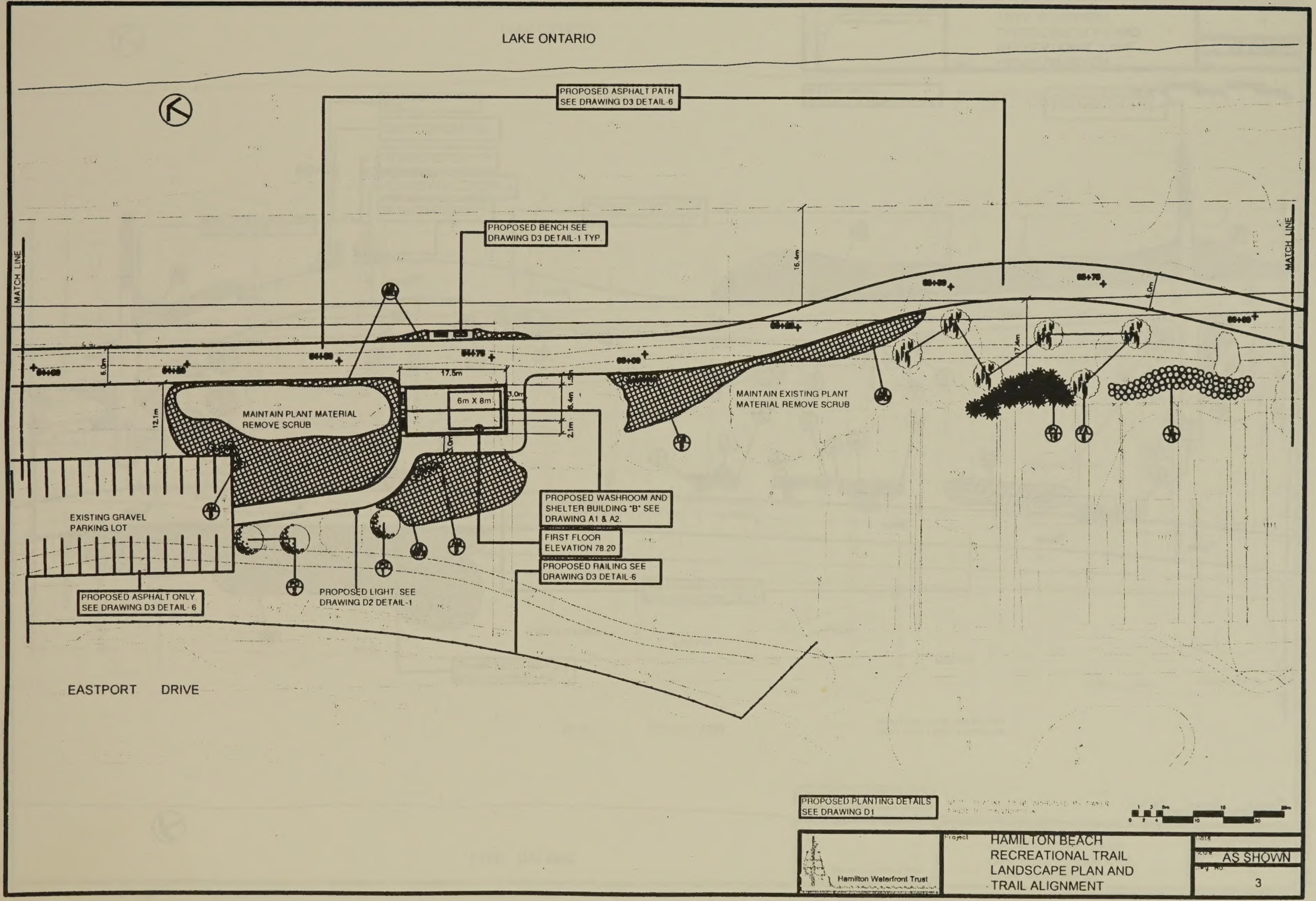
Date

Scale AS SHOWN

Dwg. No. 2


LAKE ONTARIO
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
MATCH LINE
16.4m
65+75
6.0m
17.4m
6.0m
17.5m
12.1m
6m X 8m
3.0m
1.5m
8.4m
2.1m
MAINTAIN PLANT MATERIAL REMOVE SCRUB
MAINTAIN EXISTING PLANT MATERIAL REMOVE SCRUB
EXISTING GRAVEL PARKING LOT
PROPOSED WASHROOM AND SHELTER BUILDING "B" SEE DRAWING A1 & A2.
FIRST FLOOR ELEVATION 78.20
PROPOSED RAILING SEE DRAWING D3 DETAIL-6
PROPOSED LIGHT SEE DRAWING D2 DETAIL-1
PROPOSED ASPHALT ONLY SEE DRAWING D3 DETAIL-6
EASTPORT DRIVE
PROPOSED PLANTING DETAILS SEE DRAWING D1
MATCH LINE

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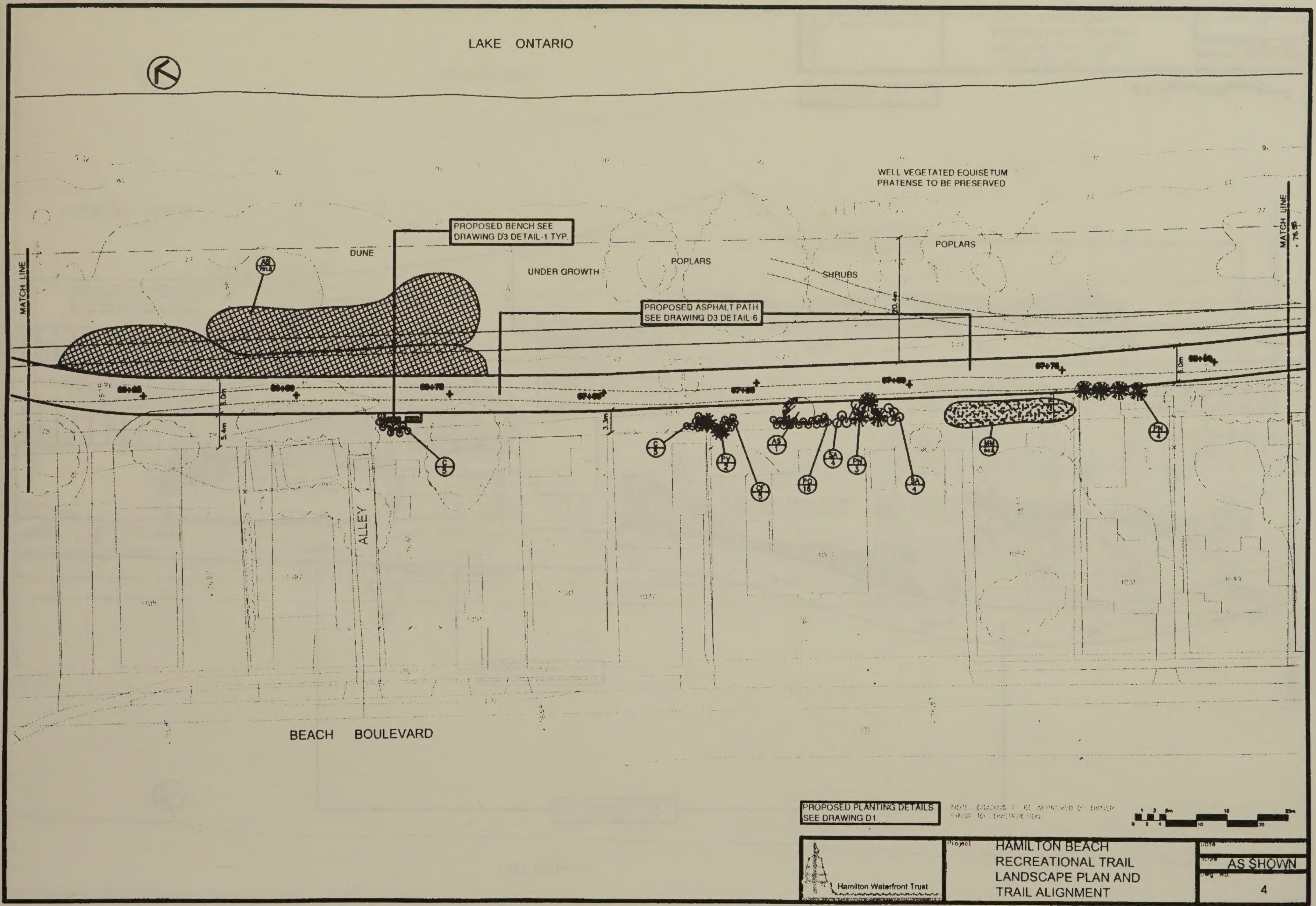
Dwg No. 3


LAKE ONTARIO
WELL VEGETATED EQUISETUM PRATENSE TO BE PRESERVED
MATCH LINE
DUNE
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
UNDER GROWTH
POPLARS
SHRUBS
POPLARS
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
MATCH LINE
20.4m
6.0m
5.0m
5.4m
3.3m
AB
C 5
C 5
PV 2
CF 5
AS 1
PO 16
SA 4
PN 3
SA 4
MN
PN 4
ALLEY
BEACH BOULEVARD
0 2 4 10 20
1 3 5m 15 25m

PROPOSED PLANTING DETAILS SEE DRAWING D1

NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION

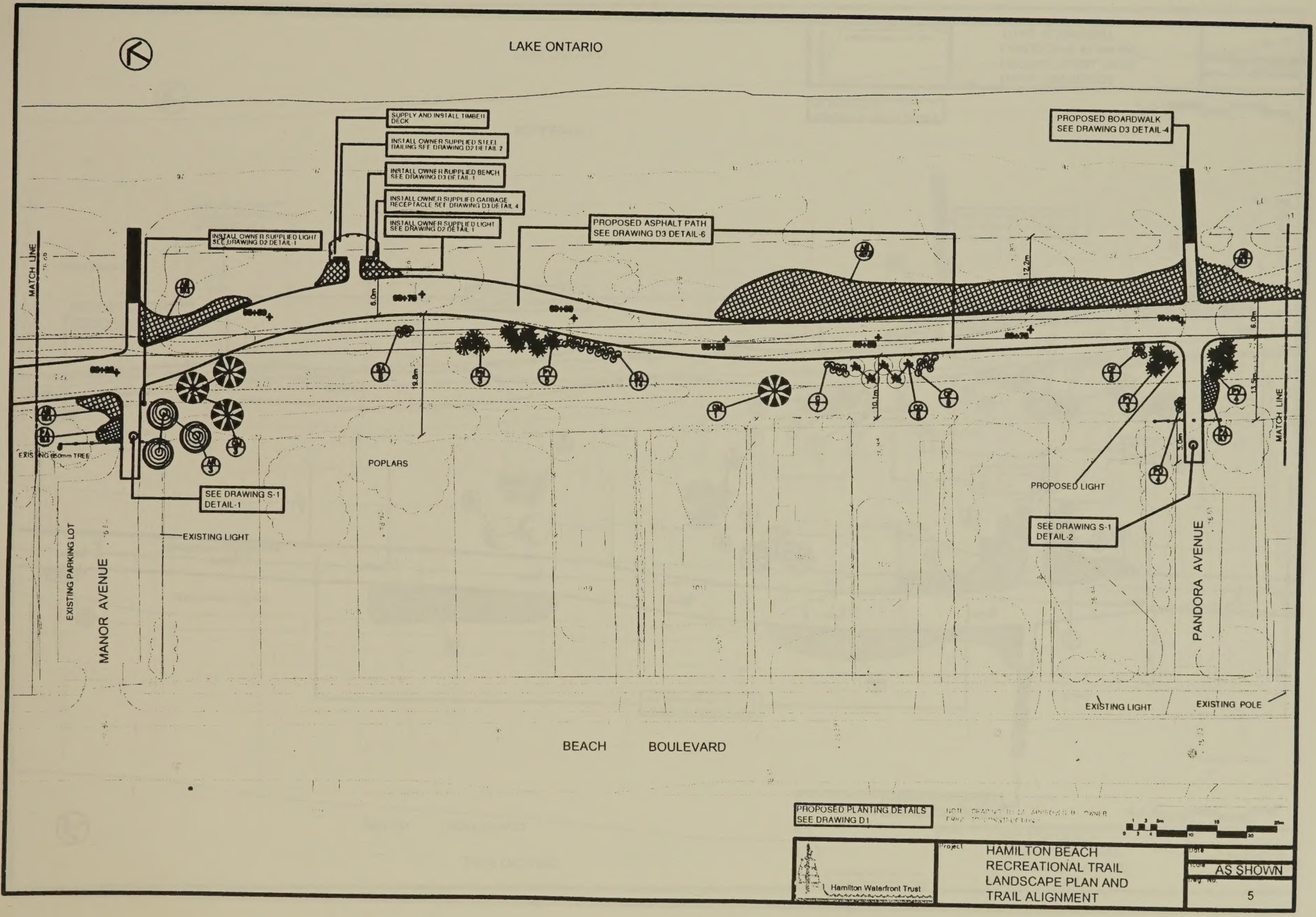
Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date

Scale AS SHOWN

Dwg. No. 4


LAKE ONTARIO
MATCH LINE
SUPPLY AND INSTALL TIMBER DECK
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL 2
INSTALL OWNER SUPPLIED BENCH SEE DRAWING D3 DETAIL 1
INSTALL OWNER SUPPLIED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL 4
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL 1
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL 1
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
PROPOSED BOARDWALK SEE DRAWING D3 DETAIL-4
6.0m
19.8m
12.2m
10.1m
13.5m
6.0m
5.0m
EXISTING 650mm TREE
POPLARS
SEE DRAWING S-1 DETAIL-1
EXISTING LIGHT
EXISTING PARKING LOT
MANOR AVENUE
PROPOSED LIGHT
SEE DRAWING S-1 DETAIL-2
PANDORA AVENUE
EXISTING LIGHT
EXISTING POLE
BEACH BOULEVARD
MATCH LINE
PROPOSED PLANTING DETAILS SEE DRAWING D1
0 1 2 3 4 5m 10 15 20 25m

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Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
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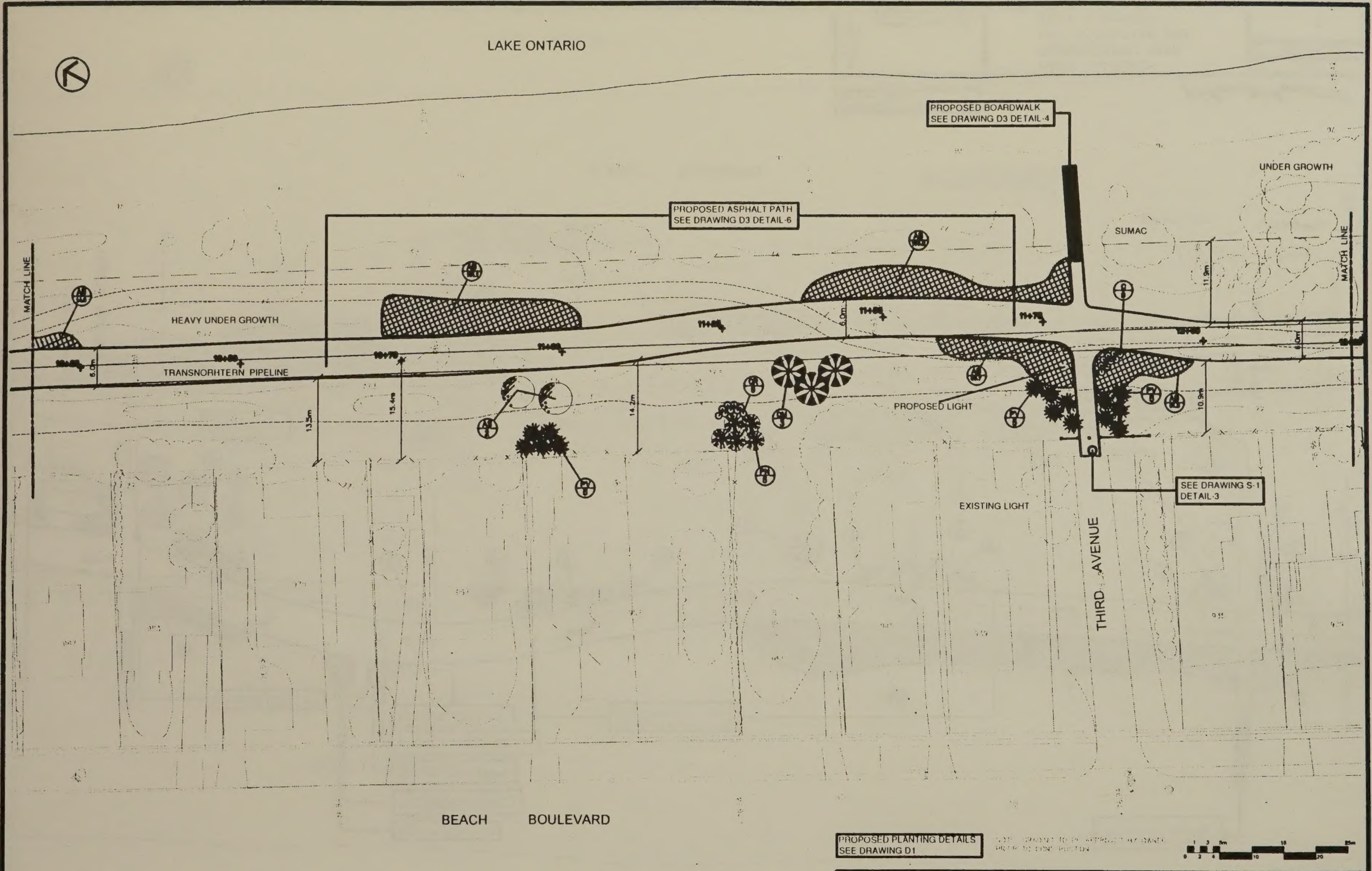
Scale AS SHOWN

Dwg. No. 5


LAKE ONTARIO
PROPOSED BOARDWALK
SEE DRAWING D3 DETAIL-4
UNDER GROWTH
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
SUMAC
MATCH LINE
MATCH LINE
HEAVY UNDER GROWTH
TRANSNORHTERN PIPELINE
6.0m
13.5m
15.4m
14.2m
6.0m
11.9m
6.0m
10.9m
10+75
11+75
PROPOSED LIGHT
EXISTING LIGHT
SEE DRAWING S-1
DETAIL-3
THIRD AVENUE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION
0 1 2 3 4 5m 10 15 20 25m

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RECREATIONAL TRAIL
LANDSCAPE PLAN AND
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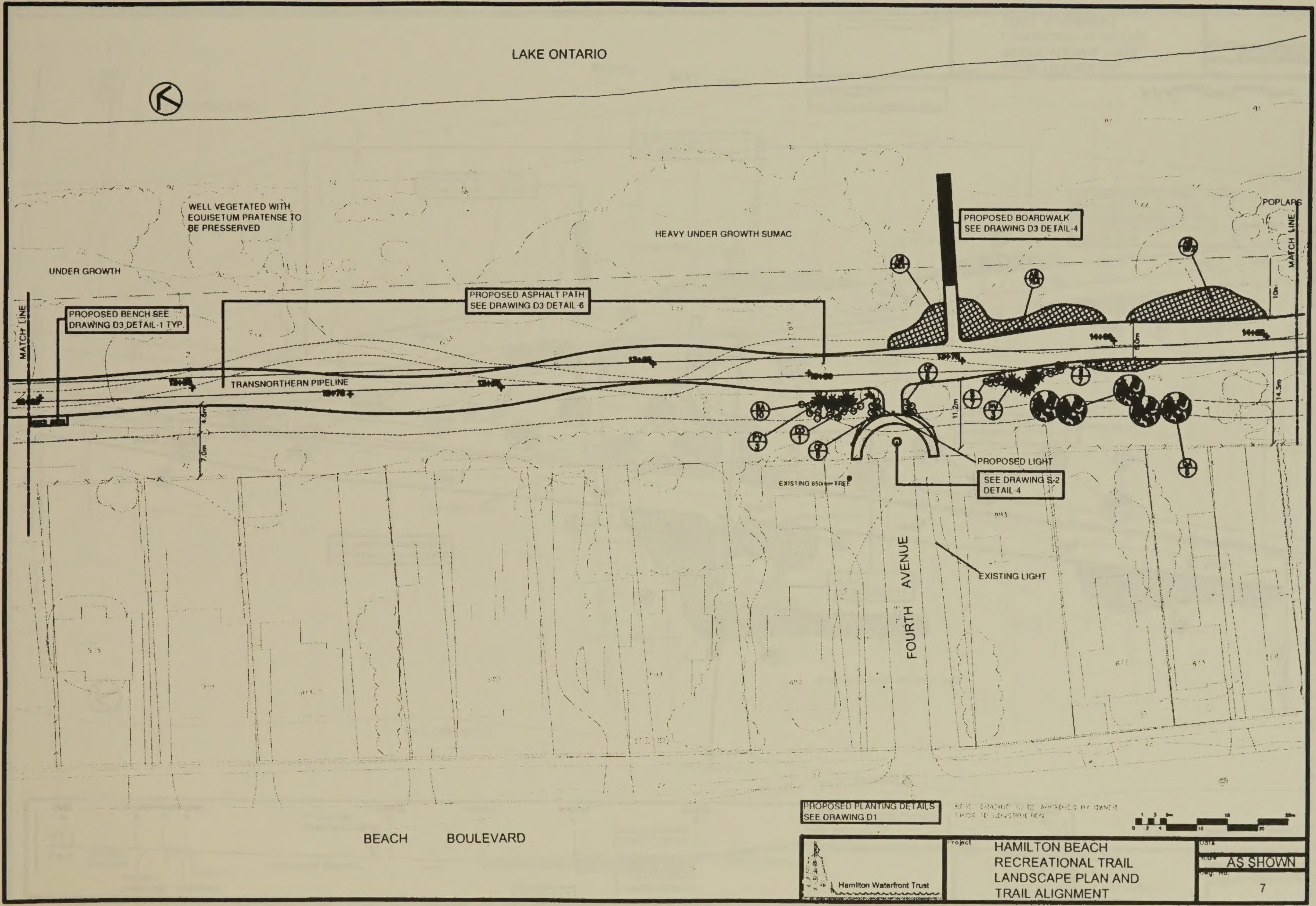
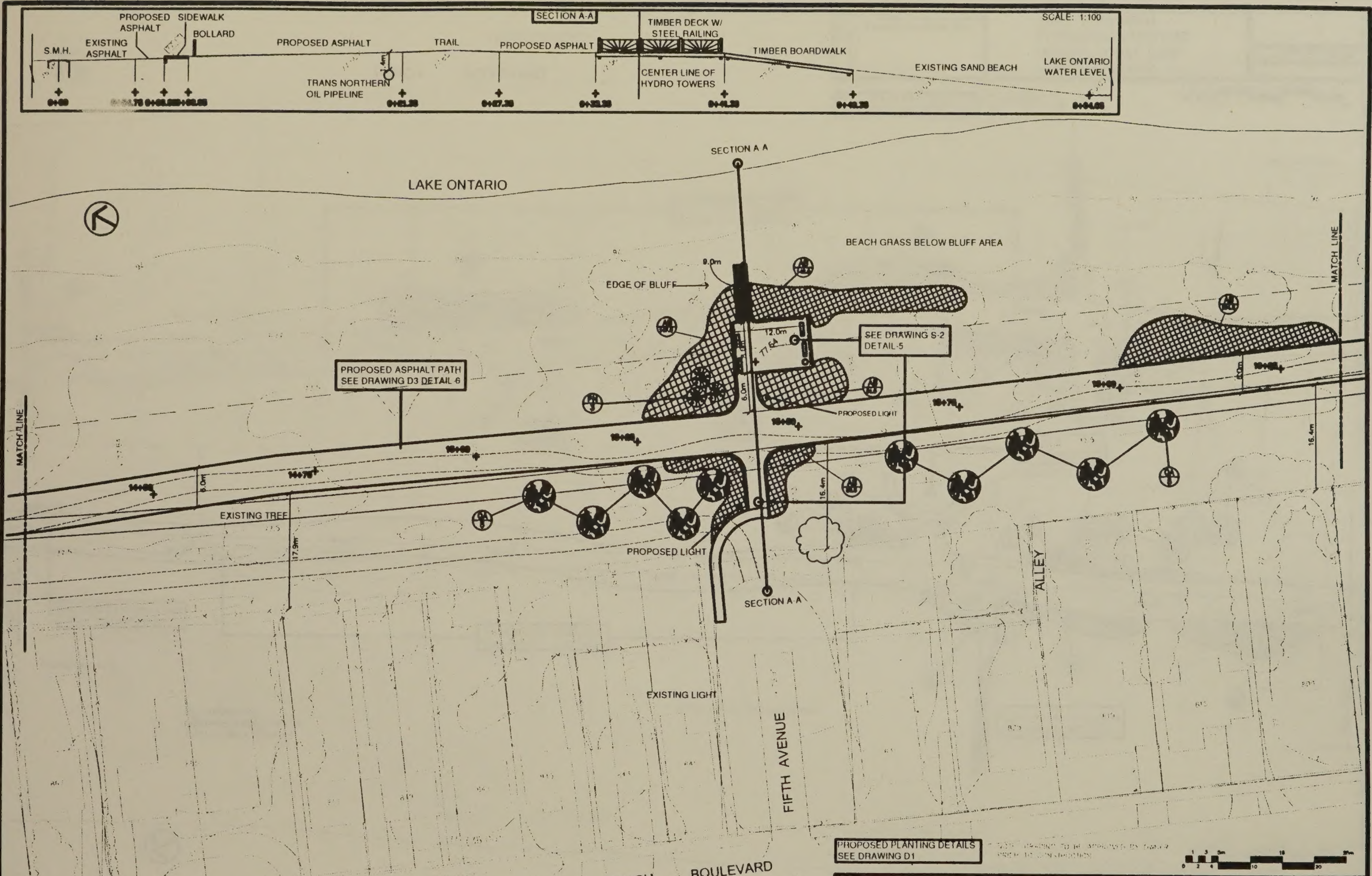
Dwg. No. 6


LAKE ONTARIO
WELL VEGETATED WITH EQUISETUM PRATENSE TO BE PRESSERVED
UNDER GROWTH
HEAVY UNDER GROWTH SUMAC
POPLARS
MATCH LINE
MATCH LINE
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
PROPOSED BOARDWALK SEE DRAWING D3 DETAIL-4
TRANSNORTHERN PIPELINE
4.6m
7.0m
11.2m
6.0m
10m
14.5m
PROPOSED LIGHT
SEE DRAWING S-2 DETAIL-4
EXISTING 650mm TREE
EXISTING LIGHT
FOURTH AVENUE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION
0
1
2
3
4
5m
10
15
20
25m
Hamilton Waterfront Trust
Project
Date
Scale
Dwg. No.

HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

AS SHOWN

7


SECTION A-A
SCALE: 1:100
S.M.H.
EXISTING ASPHALT
PROPOSED ASPHALT
SIDEWALK
BOLLARD
PROPOSED ASPHALT
TRANS NORTHERN OIL PIPELINE
1.4m
TRAIL
PROPOSED ASPHALT
TIMBER DECK W/ STEEL RAILING
CENTER LINE OF HYDRO TOWERS
TIMBER BOARDWALK
EXISTING SAND BEACH
LAKE ONTARIO WATER LEVEL
SECTION A A
LAKE ONTARIO
BEACH GRASS BELOW BLUFF AREA
9.0m
EDGE OF BLUFF
12.0m
SEE DRAWING S-2 DETAIL-5
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL 6
6.0m
PROPOSED LIGHT
MATCH LINE
14+50
14+75
15+00
15+25
15+50
15+75
16+00
16+25
6.0m
16.4m
16.4m
17.9m
EXISTING TREE
PROPOSED LIGHT
SECTION A A
ALLEY
EXISTING LIGHT
FIFTH AVENUE
BEACH BOULEVARD
MATCH LINE
0
1
2
3
4
5m
10
15
20
25m

PROPOSED PLANTING DETAILS
SEE DRAWING D1

Hamilton Waterfront Trust

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HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
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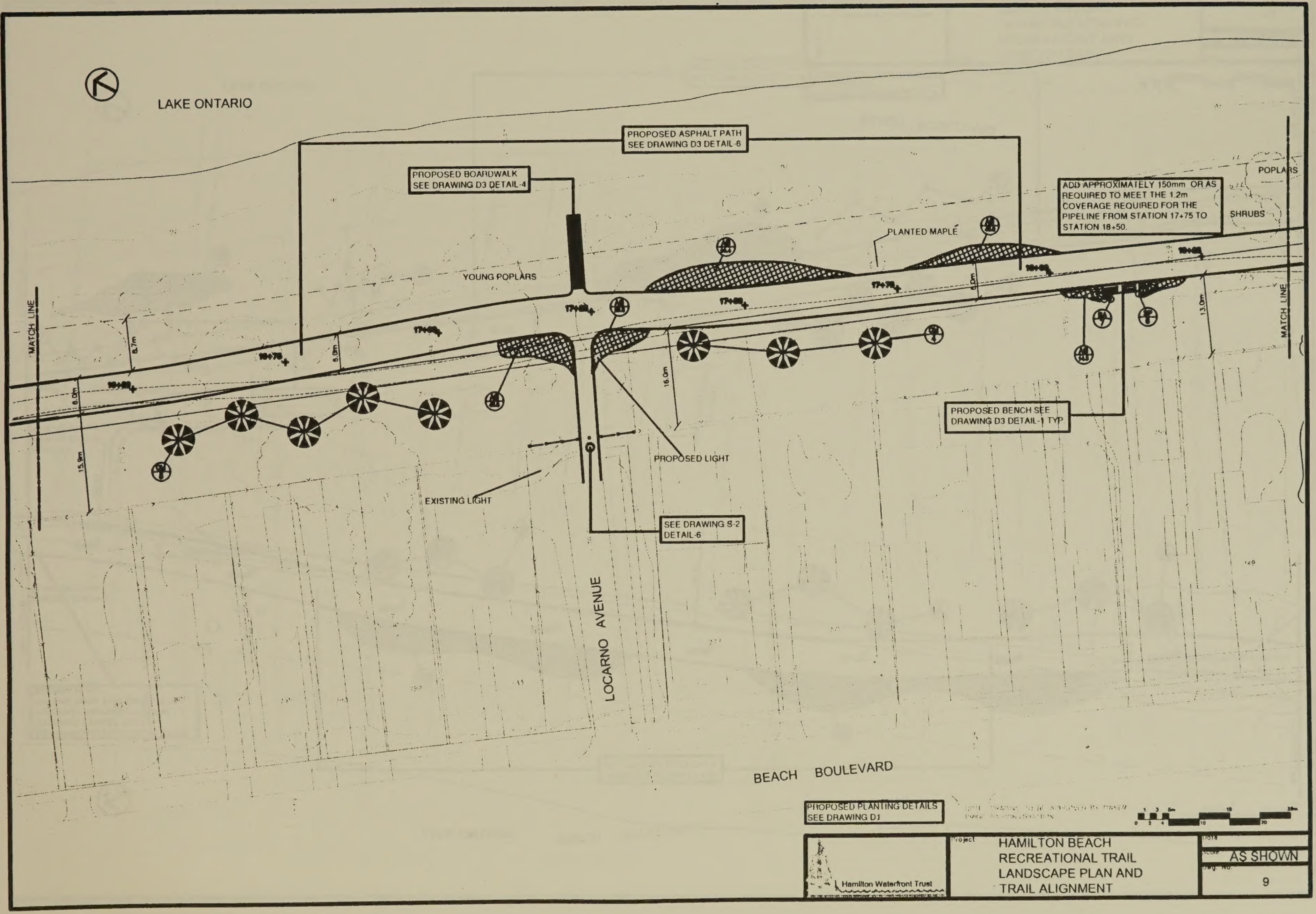
Scale AS SHOWN

Dwg. No. 8


LAKE ONTARIO
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
PROPOSED BOARDWALK
SEE DRAWING D3 DETAIL-4
ADD APPROXIMATELY 150mm OR AS REQUIRED TO MEET THE 1.2m COVERAGE REQUIRED FOR THE PIPELINE FROM STATION 17+75 TO STATION 18+50.
POPLARS
SHRUBS
PLANTED MAPLE
YOUNG POPLARS
MATCH LINE
MATCH LINE
8.7m
6.0m
15.9m
6.0m
16.0m
6.0m
13.0m
16+75
17+75
PROPOSED LIGHT
EXISTING LIGHT
SEE DRAWING S-2
DETAIL-6
PROPOSED BENCH SEE
DRAWING D3 DETAIL-1 TYP
LOCARNO AVENUE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
Hamilton Waterfront Trust

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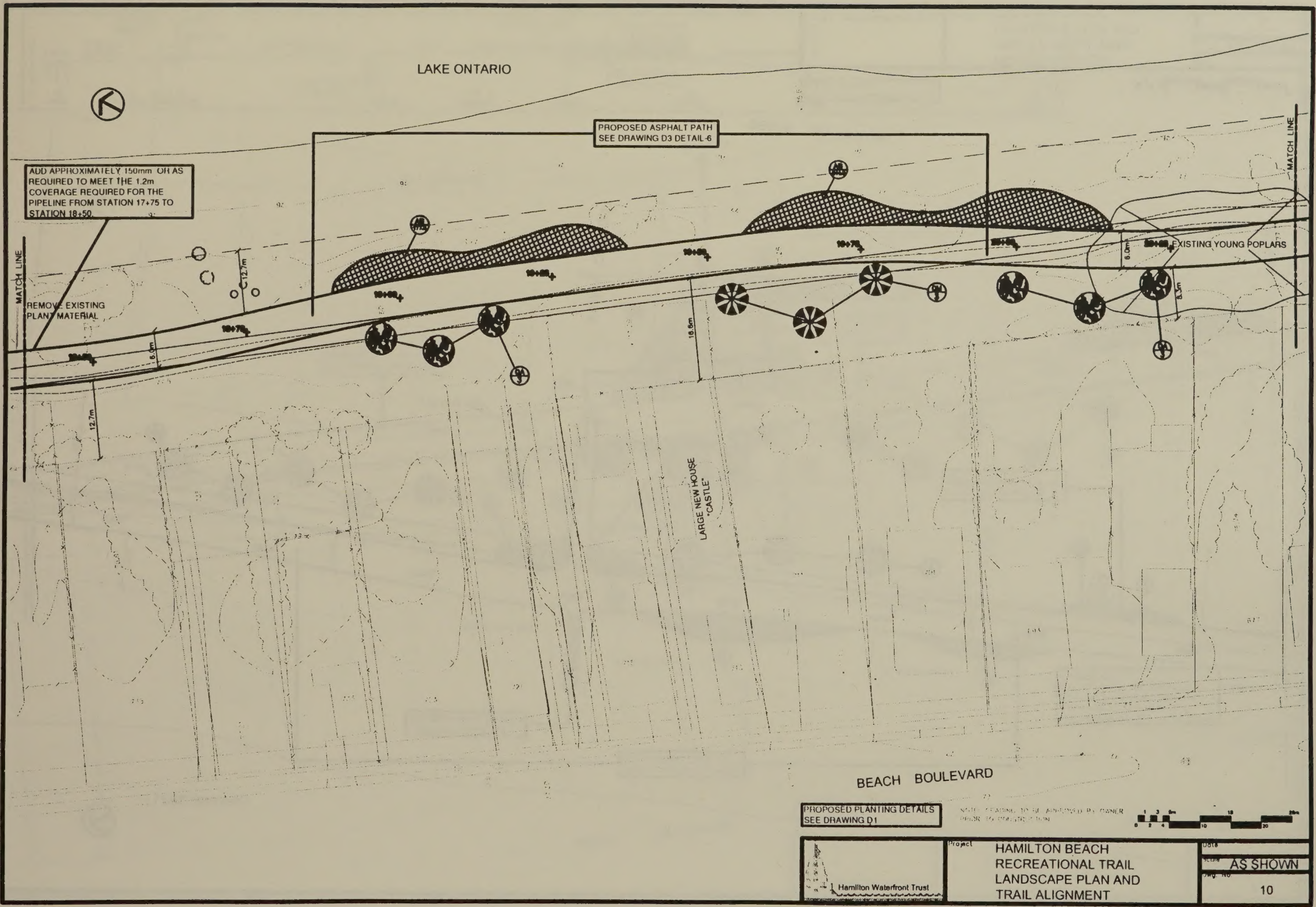
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Scale AS SHOWN

Dwg. No. 9


LAKE ONTARIO
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
ADD APPROXIMATELY 150mm OR AS REQUIRED TO MEET THE 1.2m COVERAGE REQUIRED FOR THE PIPELINE FROM STATION 17+75 TO STATION 18+50.
MATCH LINE
REMOVE EXISTING PLANT MATERIAL
12.7m
6.0m
12.7m
18.6m
EXISTING YOUNG POPLARS
6.0m
8.3m
MATCH LINE
LARGE NEW HOUSE "CASTLE"
BEACH BOULEVARD
PROPOSED PLANTING DETAILS SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION
0 1 2 3 4 5m 10 15 20 25m
Hamilton Waterfront Trust

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RECREATIONAL TRAIL
LANDSCAPE PLAN AND
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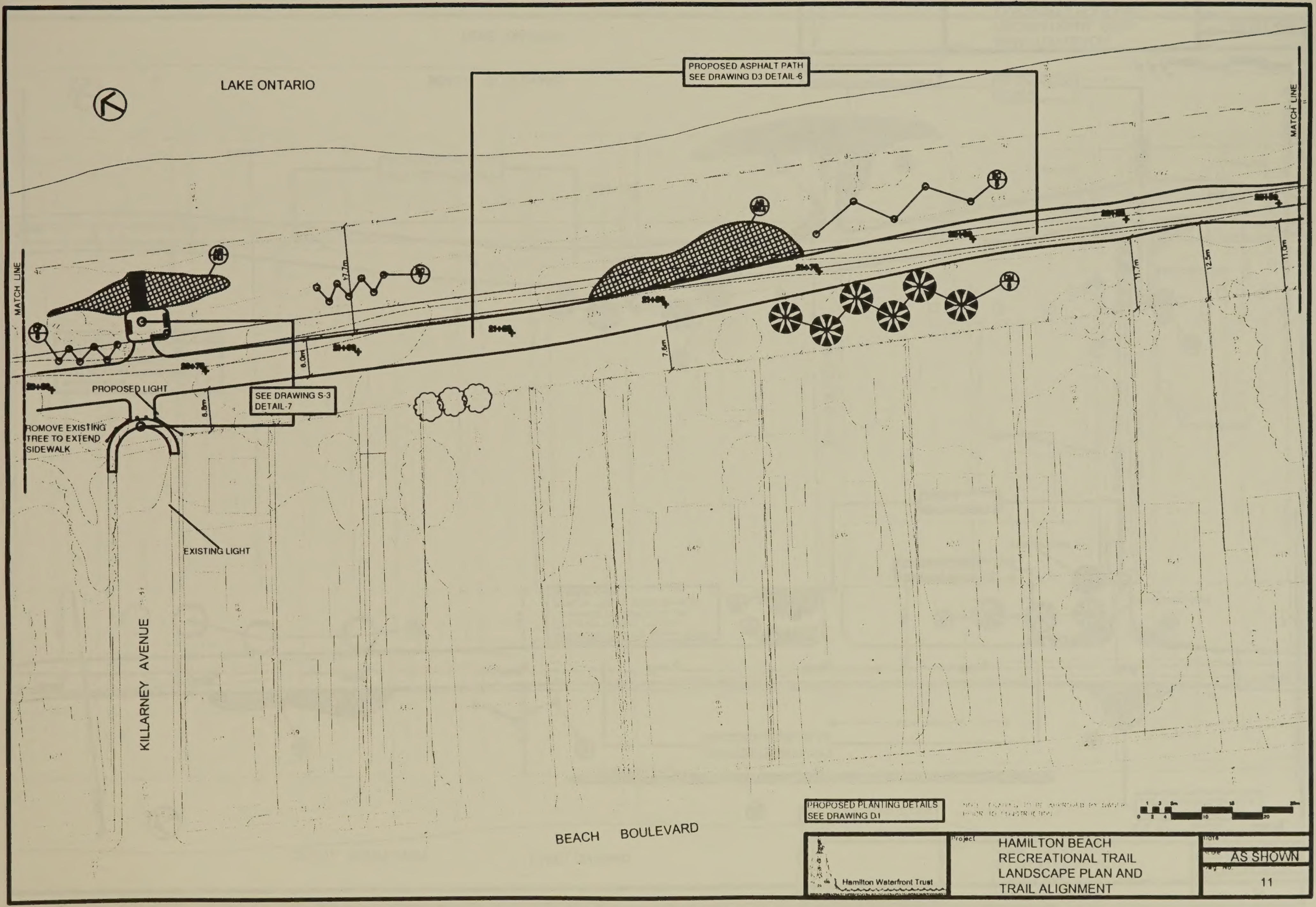
Scale AS SHOWN

Dwg. No. 10


LAKE ONTARIO
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
MATCH LINE
MATCH LINE
17.7m
6.0m
6.8m
7.6m
11.7m
12.5m
11.0m
PROPOSED LIGHT
SEE DRAWING S-3
DETAIL-7
ROMOVE EXISTING
TREE TO EXTEND
SIDEWALK
EXISTING LIGHT
KILLARNEY AVENUE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER
PRIOR TO CONSTRUCTION
0
1
2
3
4
5m
10
15
20
25m

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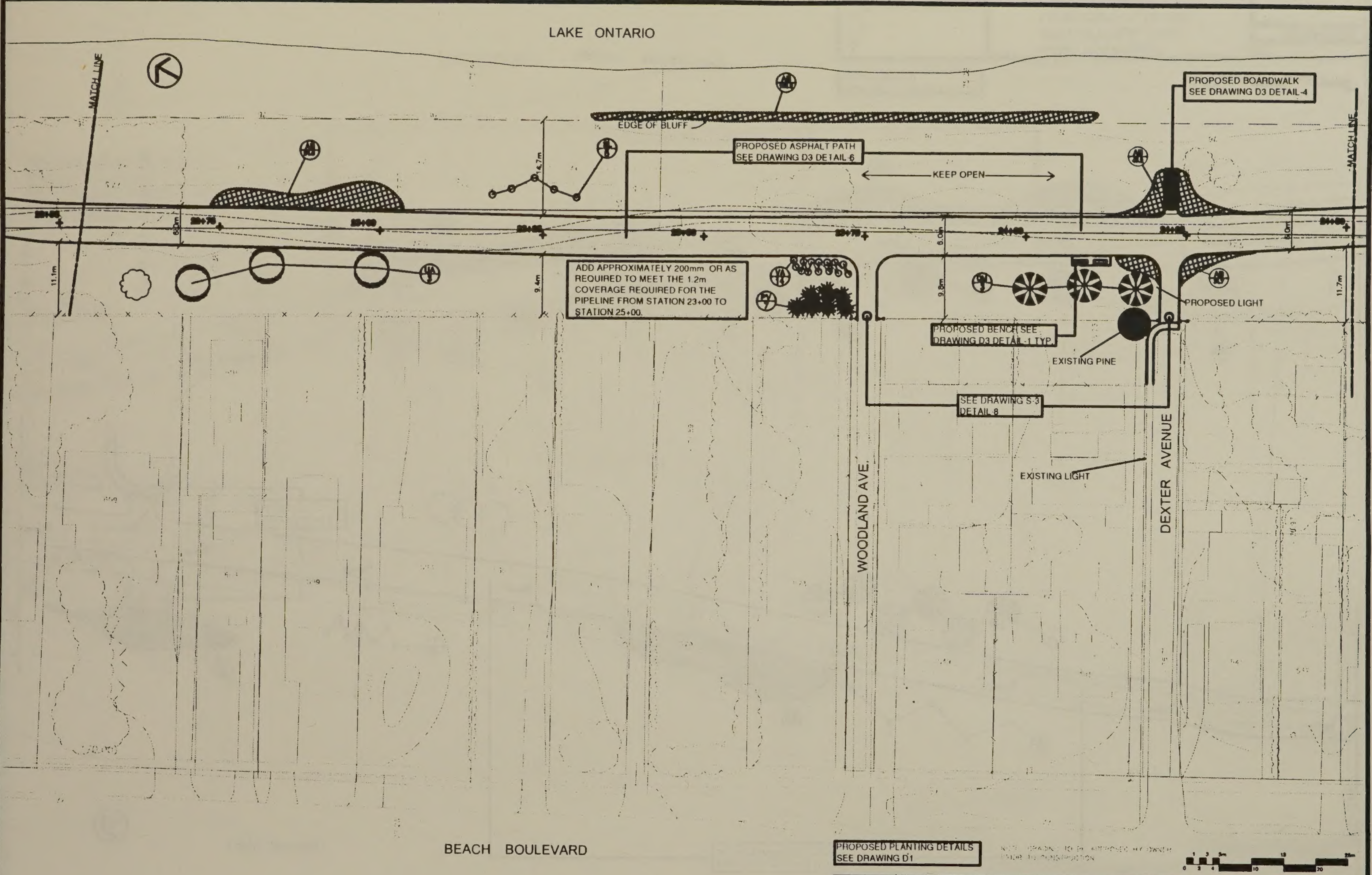
Scale AS SHOWN

Dwg. No.

11


LAKE ONTARIO
MATCH LINE
EDGE OF BLUFF
PROPOSED BOARDWALK SEE DRAWING D3 DETAIL-4
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
KEEP OPEN
14.7m
6.0m
9.4m
9.8m
11.1m
11.7m
23+75
24+00
ADD APPROXIMATELY 200mm OR AS REQUIRED TO MEET THE 1.2m COVERAGE REQUIRED FOR THE PIPELINE FROM STATION 23+00 TO STATION 25+00.
PROPOSED LIGHT
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
EXISTING PINE
SEE DRAWING S-3 DETAIL 8
EXISTING LIGHT
WOODLAND AVE.
DEXTER AVENUE
MATCH LINE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION
0 1 2 3 4 5m 10 15 20 25m

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HAMILTON BEACH
RECREATIONAL TRAIL-
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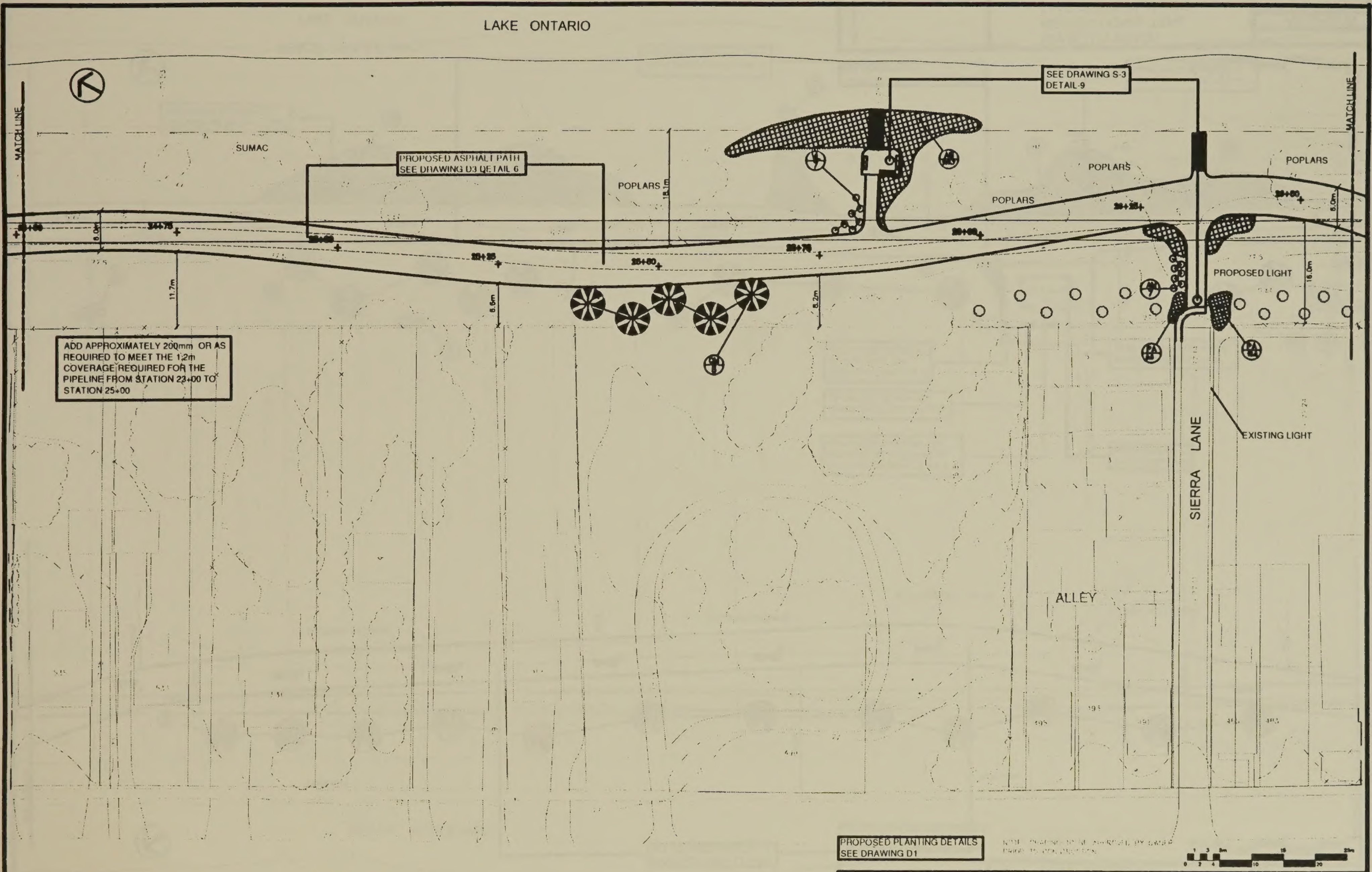
Scale AS SHOWN

Dwg. No. 12


LAKE ONTARIO
MATCH LINE
SUMAC
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL 6
POPLARS
18.1m
SEE DRAWING S-3
DETAIL-9
POPLARS
POPLARS
POPLARS
MATCH LINE
24+75
25+00
25+25
25+50
25+75
26+00
26+25
26+50
6.0m
11.7m
6.6m
8.2m
16.0m
6.0m
PROPOSED LIGHT
EXISTING LIGHT
SIERRA LANE
ALLEY
ADD APPROXIMATELY 200mm OR AS REQUIRED TO MEET THE 1.2m COVERAGE REQUIRED FOR THE PIPELINE FROM STATION 23+00 TO STATION 25+00
PROPOSED PLANTING DETAILS
SEE DRAWING D1
BEACH BOULEVARD
0 2 4 10 20

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HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
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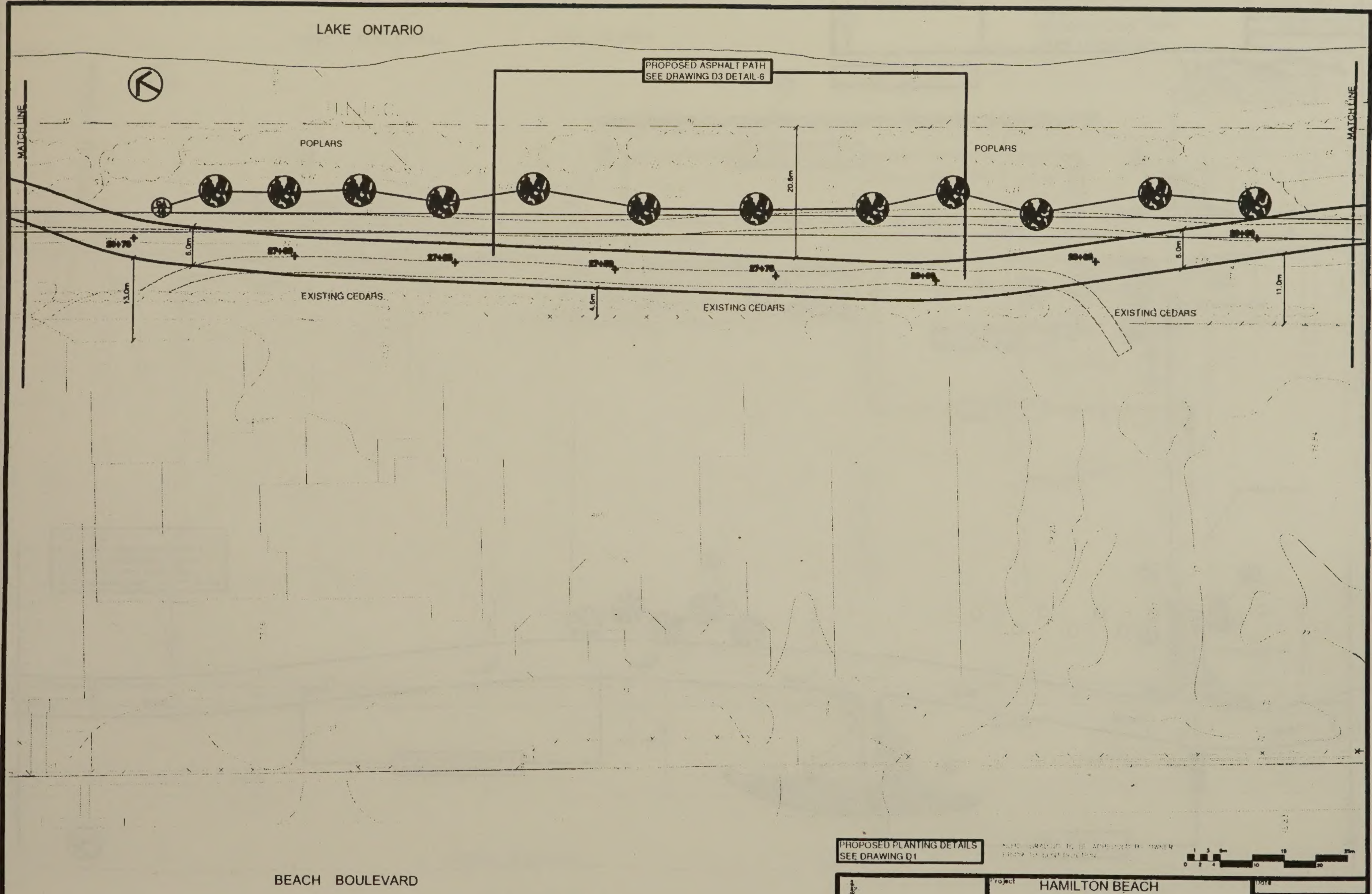
Scale AS SHOWN

13


LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL 6
POPLARS
POPLARS
MATCH LINE
20.6m
6.0m
13.0m
4.6m
6.0m
11.0m
26+75
27+00
27+25
27+50
27+75
28+00
28+25
28+50
EXISTING CEDARS
EXISTING CEDARS
EXISTING CEDARS
PROPOSED PLANTING DETAILS
SEE DRAWING D1
0 1 2 3 4 5m 10 15 20 25m
BEACH BOULEVARD

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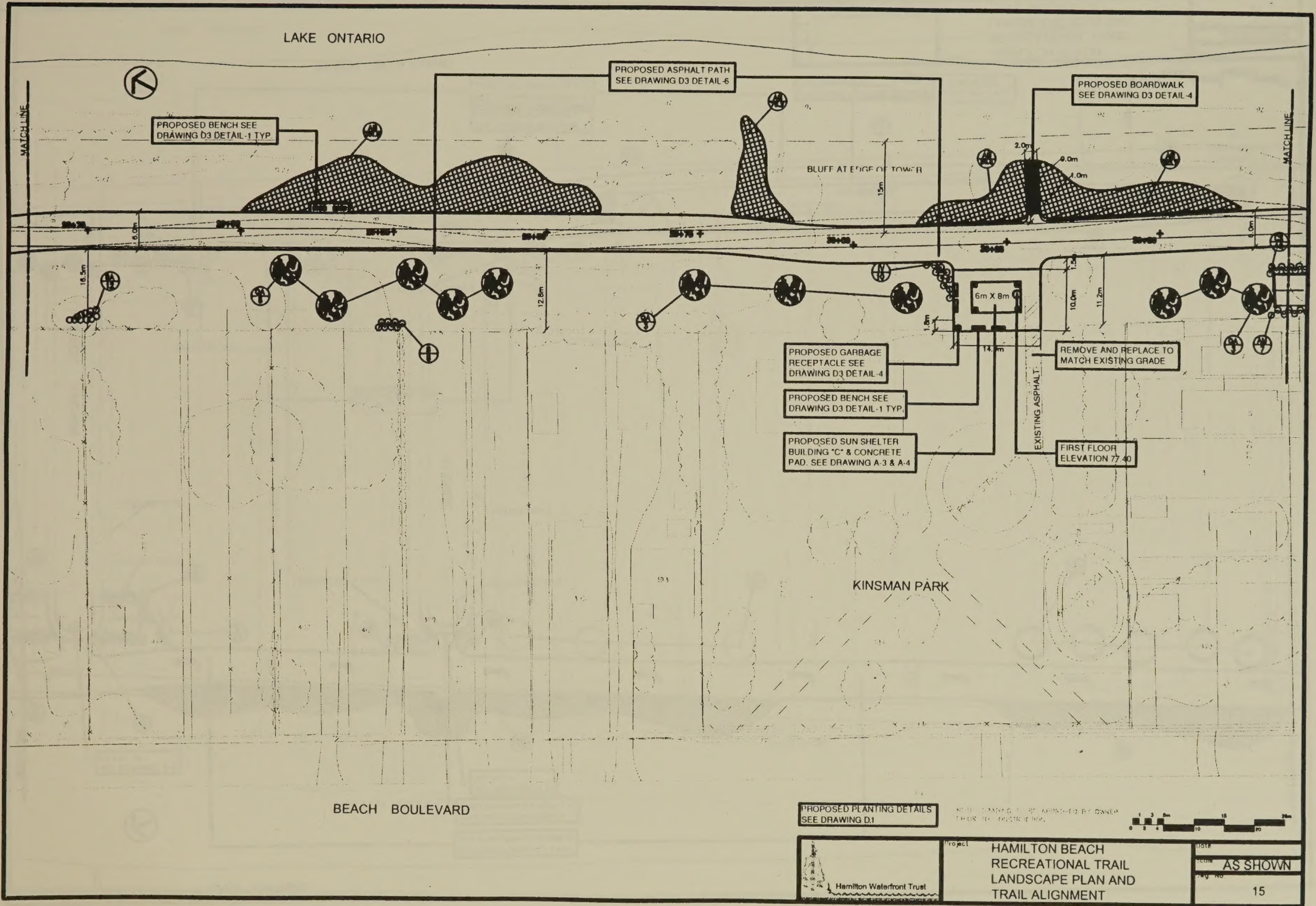
Date

Scale
AS SHOWN

Dwg No
14


LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL-6
PROPOSED BOARDWALK SEE DRAWING D3 DETAIL-4
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
BLUFF AT EDGE OF TOWER
15m
2.0m
9.0m
4.0m
6.0m
16.5m
12.8m
1.5m
10.0m
11.2m
1.8m
14.5m
6m X 8m
PROPOSED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL-4
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
PROPOSED SUN SHELTER BUILDING "C" & CONCRETE PAD. SEE DRAWING A-3 & A-4
REMOVE AND REPLACE TO MATCH EXISTING GRADE
EXISTING ASPHALT
FIRST FLOOR ELEVATION 77.40
KINSMAN PARK
BEACH BOULEVARD
PROPOSED PLANTING DETAILS SEE DRAWING D.1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION.
0 1 2 3 4 5m 10 15 20 25m
MATCH LINE

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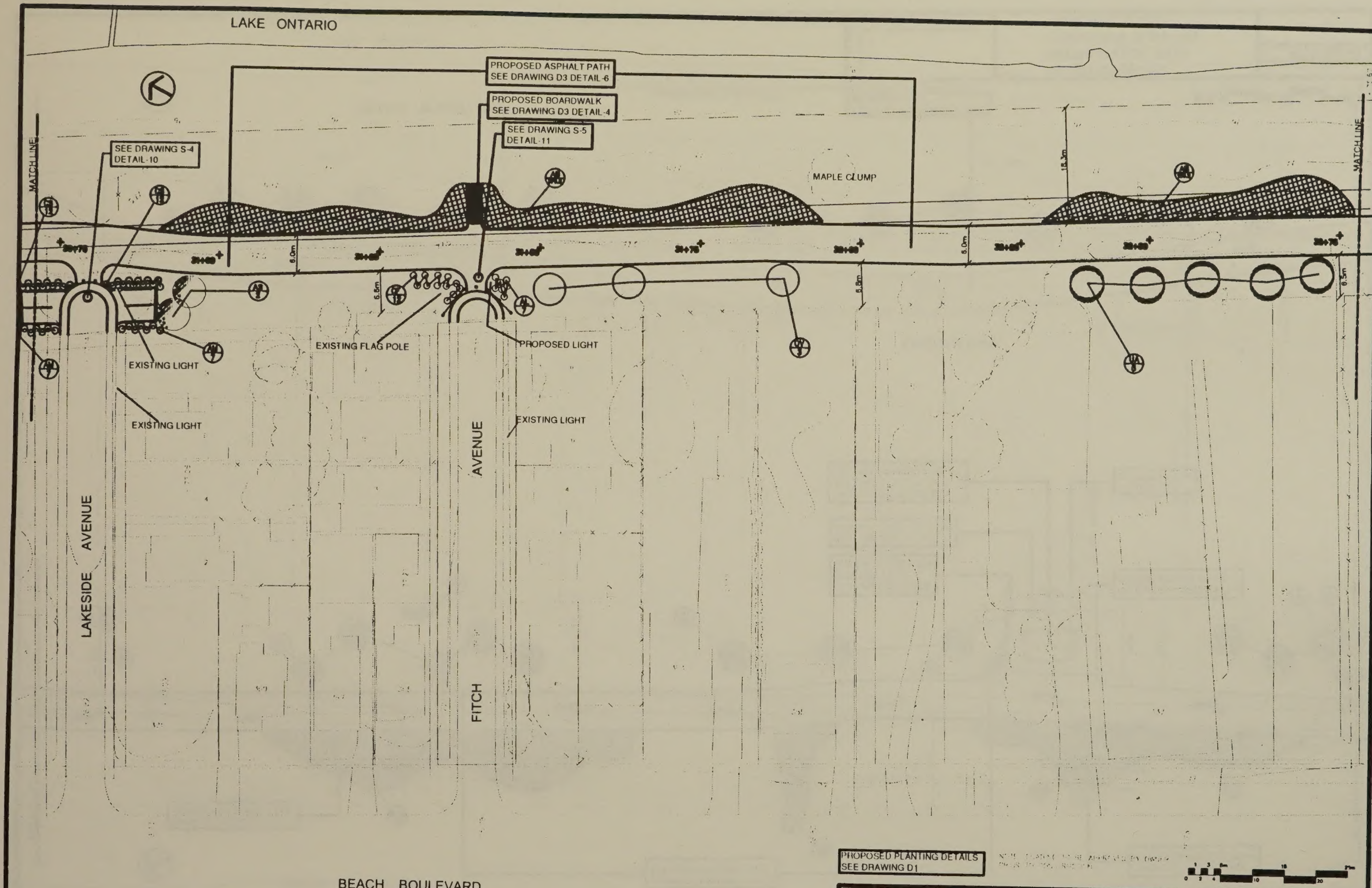
TRAIL ALIGNMENT

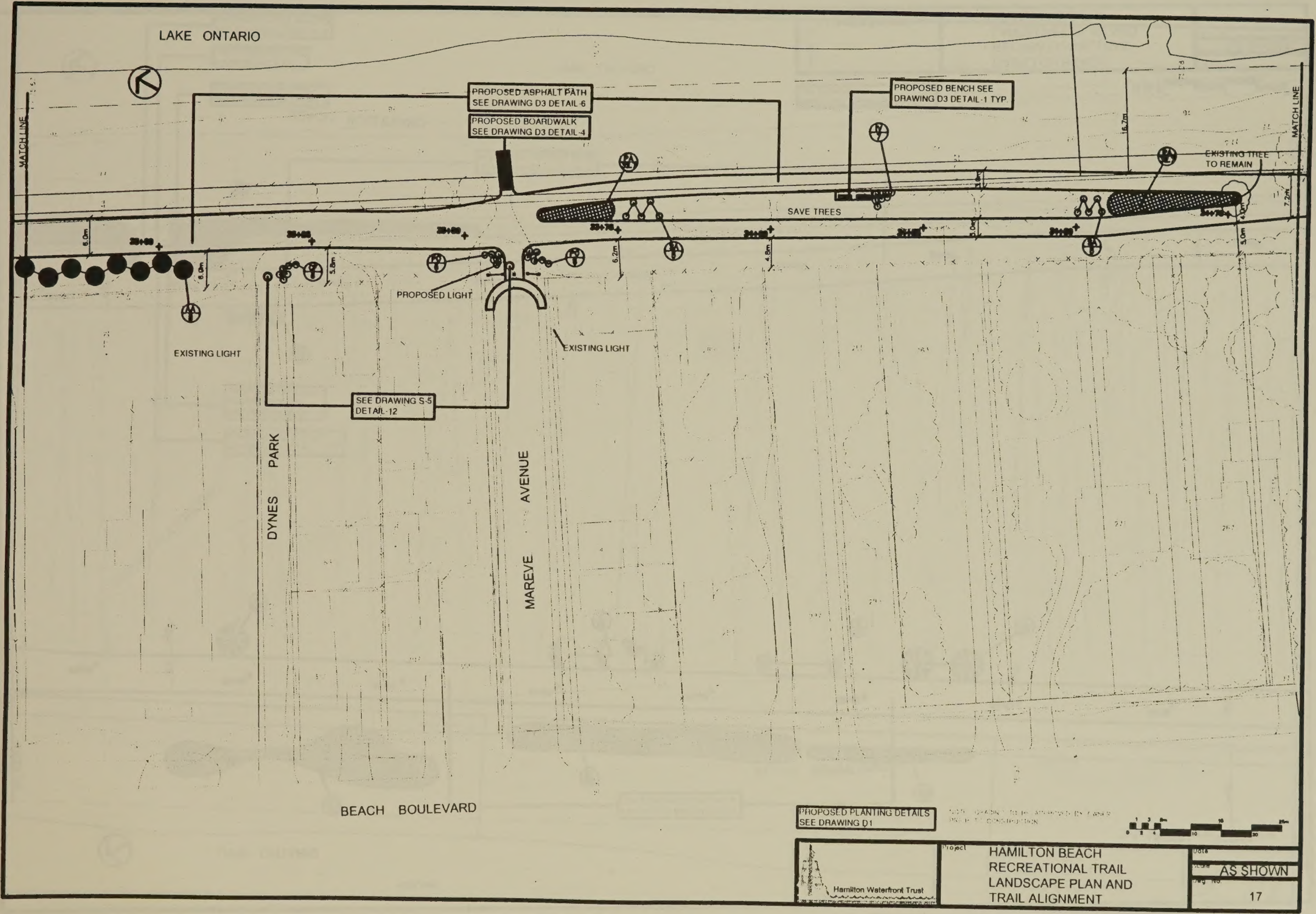
Date
Scale AS SHOWN
Dwg. No. 15


LAKE ONTARIO
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
PROPOSED BOARDWALK
SEE DRAWING D3 DETAIL-4
SEE DRAWING S-5
DETAIL-11
SEE DRAWING S-4
DETAIL-10
MATCH LINE
MAPLE CLUMP
MATCH LINE
18.3m
30+75
31+00
6.0m
31+25
6.5m
31+50
31+75
32+00
6.8m
5.0m
32+25
32+50
32+75
6.5m
EXISTING FLAG POLE
PROPOSED LIGHT
EXISTING LIGHT
EXISTING LIGHT
EXISTING LIGHT
LAKESIDE AVENUE
FITCH AVENUE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1

Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date
Scale AS SHOWN
Dwg. No. 16


LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
PROPOSED BOARDWALK
SEE DRAWING D3 DETAIL-4
PROPOSED BENCH SEE
DRAWING D3 DETAIL-1 TYP.
16.7m
EXISTING TREE
TO REMAIN
MATCH LINE
7.2m
SAVE TREES
6.0m
6.0m
5.8m
6.2m
4.8m
5.0m
4.0m
5.0m
PROPOSED LIGHT
EXISTING LIGHT
EXISTING LIGHT
SEE DRAWING S-5
DETAIL-12
DYNES PARK
MAREVE AVENUE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
0 1 2 3 4 5m 10 15 20 25m

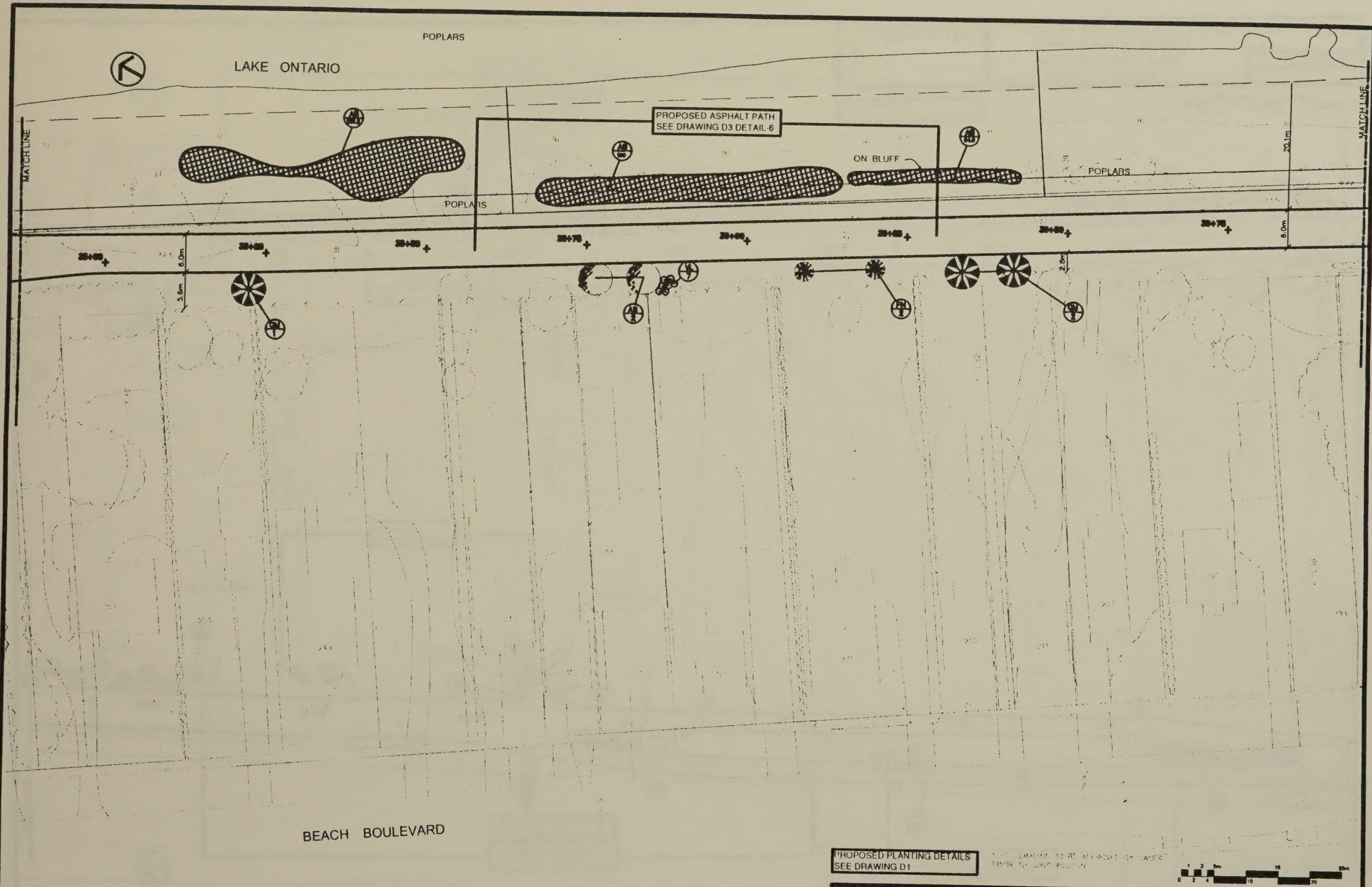
Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date

Scale AS SHOWN

Dwg. No. 17


POPLARS
LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
ON BLUFF
POPLARS
POPLARS
20.1m
6.0m
6.0m
5.6m
2.8m
MATCH LINE
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
0 2 4 10 20
1 3 5m 15 25m

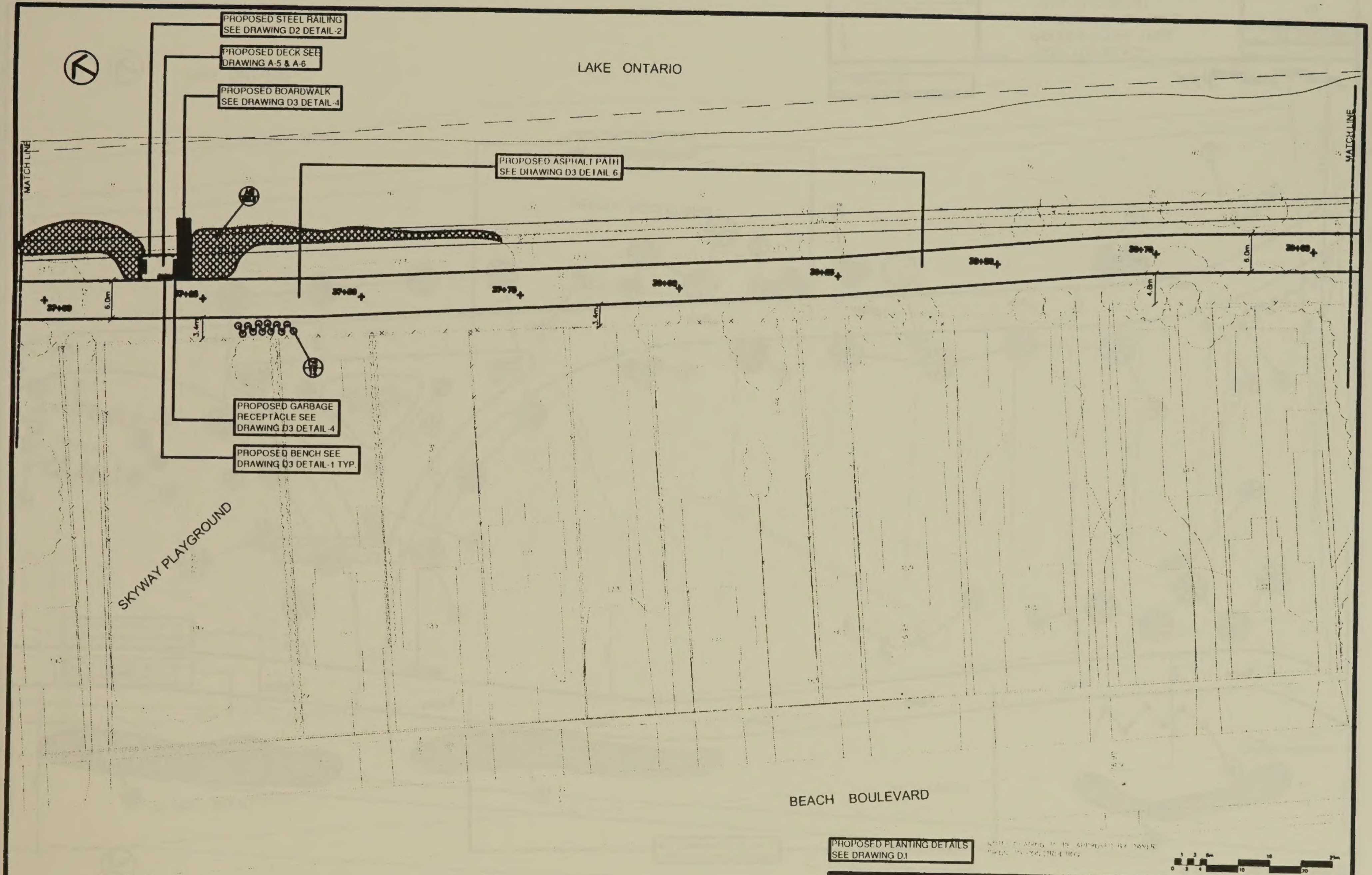
Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date

Scale AS SHOWN

Dwg No 18


PROPOSED STEEL RAILING SEE DRAWING D2 DETAIL-2
PROPOSED DECK SEE DRAWING A-5 & A-6
PROPOSED BOARDWALK SEE DRAWING D3 DETAIL-4
LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL 6
MATCH LINE
6.0m
3.4m
3.4m
4.8m
6.0m
PROPOSED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL-4
PROPOSED BENCH SEE DRAWING D3 DETAIL-1 TYP.
SKYWAY PLAYGROUND
BEACH BOULEVARD
PROPOSED PLANTING DETAILS SEE DRAWING D.1
0 2 4 10 20
1 3 5m 15 25m

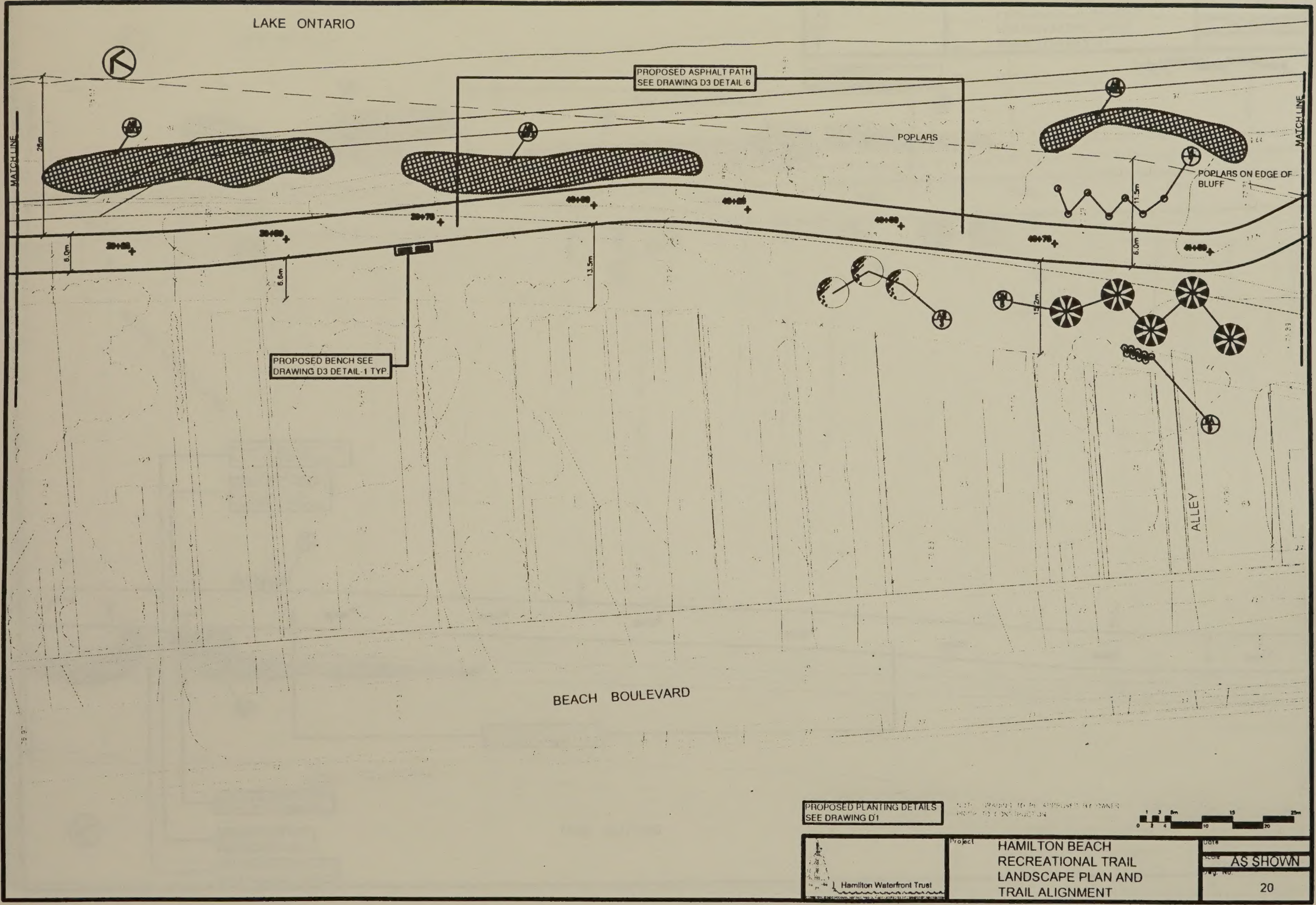
Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date

Scale AS SHOWN

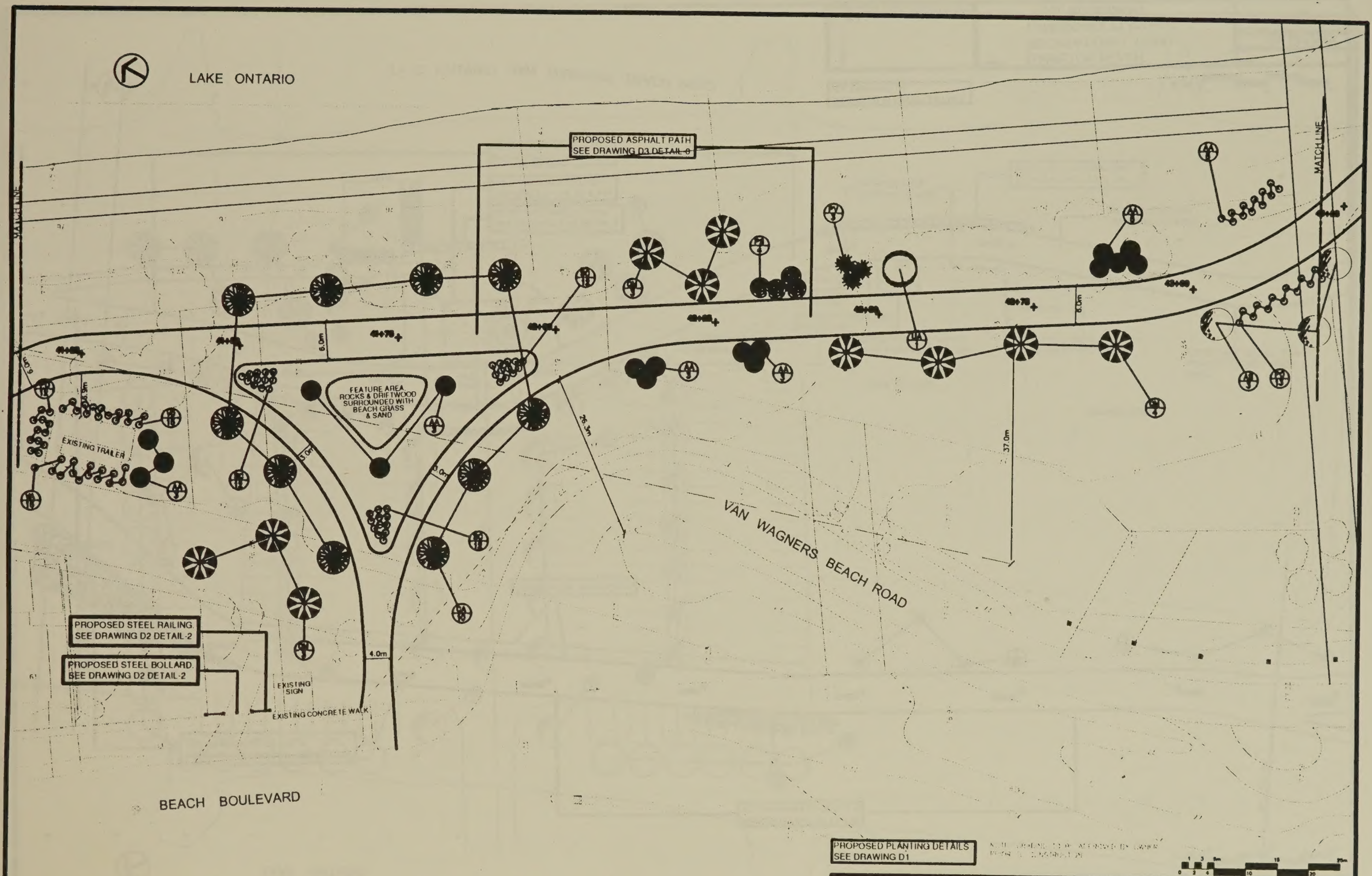
Dwg. No. 19


LAKE ONTARIO
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL 6
POPLARS
POPLARS ON EDGE OF BLUFF
MATCHLINE
MATCHLINE
25m
6.0m
6.6m
13.5m
11.5m
6.0m
15.2m
PROPOSED BENCH SEE DRAWING D3 DETAIL 1 TYP.
ALLEY
BEACH BOULEVARD
PROPOSED PLANTING DETAILS SEE DRAWING D1
0 1 2 3 4 5m 10 15 20 25m

Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date
Scale AS SHOWN
Dwg. No.
20


LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL 0
MATCH LINE
6.0m
6.0m
6.0m
6.0m
FEATURE AREA
ROCKS & DRIFTWOOD
SURROUNDED WITH
BEACH GRASS
& SAND
EXISTING TRAILER
3.0m
3.0m
26.3m
37.0m
VAN WAGNERS BEACH ROAD
4.0m
PROPOSED STEEL RAILING
SEE DRAWING D2 DETAIL-2
PROPOSED STEEL BOLLARD
SEE DRAWING D2 DETAIL-2
EXISTING SIGN
EXISTING CONCRETE WALK
BEACH BOULEVARD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
NOTE: GRADING TO BE APPROVED BY OWNER PRIOR TO CONSTRUCTION
0 1 2 3 4 5m 10 15 20 25m

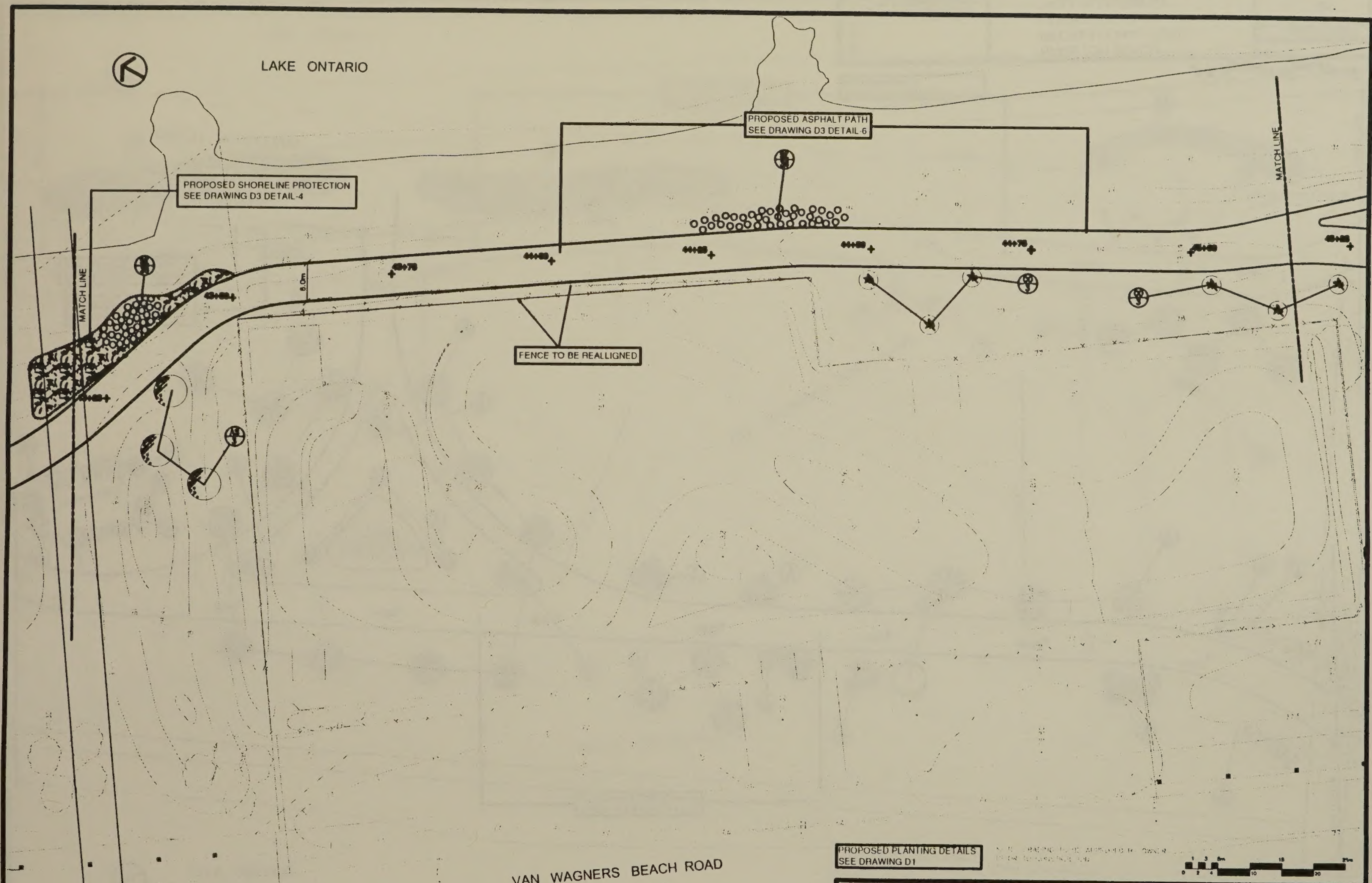
Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALLIGNMENT

Date

Scale AS SHOWN

Dwg. No. 21

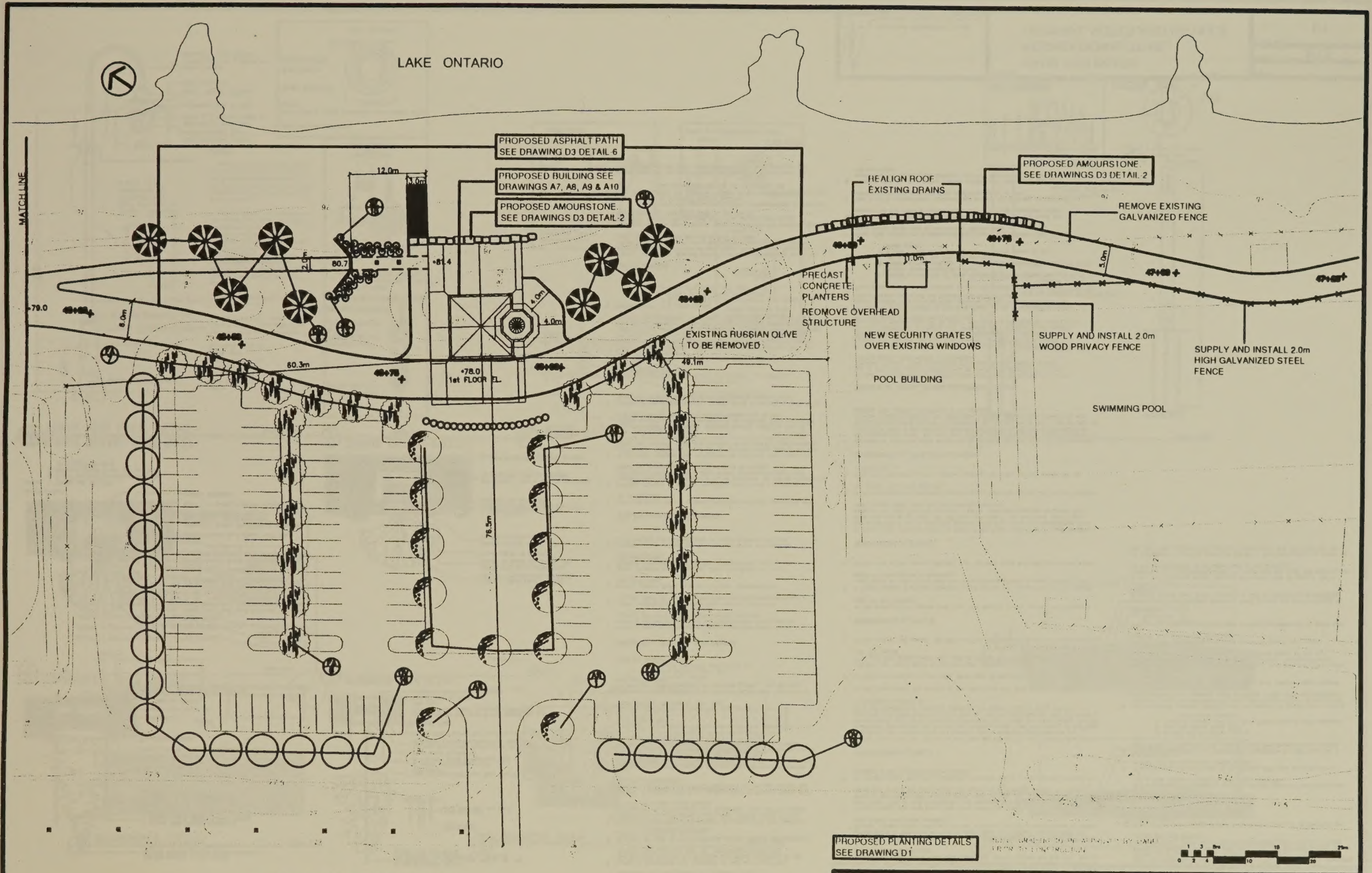

LAKE ONTARIO
PROPOSED SHORELINE PROTECTION
SEE DRAWING D3 DETAIL-4
PROPOSED ASPHALT PATH
SEE DRAWING D3 DETAIL-6
MATCH LINE
MATCH LINE
FENCE TO BE REALLIGNED
6.0m
43+50
43+75
44+00
44+25
44+50
44+75
45+00
45+25
VAN WAGNERS BEACH ROAD
PROPOSED PLANTING DETAILS
SEE DRAWING D1
0 2 4 10 20
1 3 5m 15 25m

Project HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Date

Scale AS SHOWN

Dwg. No. 22

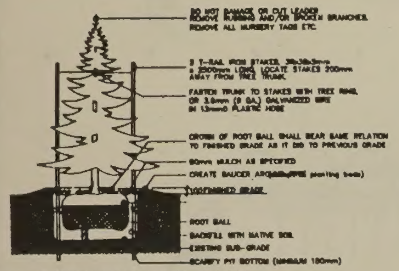

LAKE ONTARIO
MATCH LINE
PROPOSED ASPHALT PATH SEE DRAWING D3 DETAIL 6
PROPOSED BUILDING SEE DRAWINGS A7, A8, A9 & A10
PROPOSED AMOURSTONE. SEE DRAWINGS D3 DETAIL 2
PROPOSED AMOURSTONE SEE DRAWINGS D3 DETAIL 2
REALIGN ROOF EXISTING DRAINS
REMOVE EXISTING GALVANIZED FENCE
PRECAST CONCRETE PLANTERS
REMOVE OVERHEAD STRUCTURE
EXISTING RUSSIAN OLIVE TO BE REMOVED
NEW SECURITY GRATES OVER EXISTING WINDOWS
SUPPLY AND INSTALL 2.0m WOOD PRIVACY FENCE
SUPPLY AND INSTALL 2.0m HIGH GALVANIZED STEEL FENCE
POOL BUILDING
SWIMMING POOL
12.0m
3.0m
2.0m
80.7
+81.4
6.0m
4.0m
4.0m
1.0m
5.0m
+79.0
60.3m
49.1m
76.5m
+78.0 1st FLOOR EL
VAN WAGNERS BEACH ROAD
PROPOSED PLANTING DETAILS SEE DRAWING D1

Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL
LANDSCAPE PLAN AND
TRAIL ALIGNMENT

Scale AS SHOWN

Dwg. No. 23

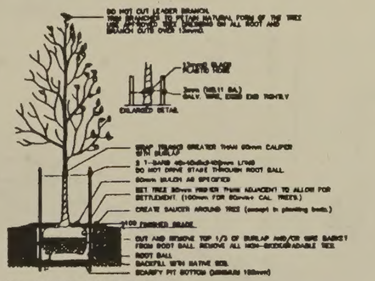


DO NOT DAMAGE OR CUT LEADER. REMOVE RUBBING AND/OR BROKEN BRANCHES. REMOVE ALL NURSERY TAGS ETC.
3 T-BAR IRON STAKES, 38x38x5mm x 2500mm LONG, LOCATE STAKES 200mm AWAY FROM TREE TRUNK.
FASTEN TRUNK TO STAKES WITH TREE RING OR 3.8mm (9 GA.) GALVANIZED WIRE IN 13mmØ PLASTIC HOSE
CROWN OF ROOT BALL SHALL BEAR SAME RELATION TO FINISHED GRADE AS IT DID TO PREVIOUS GRADE
80mm MULCH AS SPECIFIED
CREATE SAUCER AROUND TREE (except in planting beds)
100 FINISHED GRADE
ROOT BALL
BACKFILL WITH NATIVE SOIL
EXISTING SUB-GRADE
SCARIFY PIT BOTTOM (MINIMUM 150mm)

D1 CONIFEROUS TREE DETAIL

Scale n.t.s.

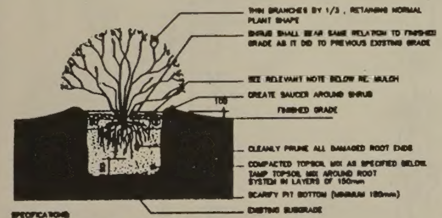
SPECIFICATIONS:
1. DO NOT DAMAGE MAIN ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKE
2. WATER THOROUGHLY AFTER INSTALLATION
3. REMOVE TREE RINGS AND STAKES TWO YEARS AFTER INSTALLATION
4. PROVIDE DRAINAGE FOR PLANTING PIT IF IN IMPERMEABLE SOIL
5. TOPSOIL MIX, SEE SPEC.



DO NOT CUT LEADER BRANCH. THIN BRANCHES TO RETAIN NATURAL FORM OF THE TREE. USE APPROVED TREE DRESSING ON ALL ROOT AND BRANCH CUTS OVER 13mmØ.
13mmØ BLACK PLASTIC HOSE
3mm (NO.11 GA.) GALV. WIRE, EXCESS END TIGHTLY
ENLARGED DETAIL
WRAP TRUNKS GREATER THAN 60mm CALIPER WITH BURLAP
3 T-BARS 40x40x6x3400mm LONG. DO NOT DRIVE STAKE THROUGH ROOT BALL
80mm MULCH AS SPECIFIED
SET TREE 50mm HIGHER THAN ADJACENT TO ALLOW FOR SETTLEMENT (100mm FOR 60mm+ CAL. TREES)
CREATE SAUCER AROUND TREE (except in planting beds.)
100 FINISHED GRADE
CUT AND REMOVE TOP 1/3 OF BURLAP AND/OR WIRE BASKET FROM ROOT BALL. REMOVE ALL NON-BIODEGRADABLE TIES
ROOT BALL
BACKFILL WITH NATIVE SOIL
SCARIFY PIT BOTTOM (MINIMUM 150mm)

D2 DECIDUOUS TREE DETAIL

Scale n.t.s.



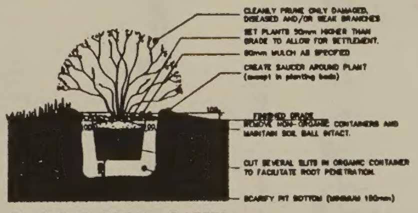
THIN BRANCHES BY 1/3 , RETAINING NORMAL PLANT SHAPE
SHRUB SHALL BEAR SAME RELATION TO FINISHED GRADE AS IT DID TO PREVIOUS EXISTING GRADE
SEE RELEVANT NOTE BELOW RE. MULCH
CREATE SAUCER AROUND SHRUB
100
FINISHED GRADE
CLEANLY PRUNE ALL DAMAGED ROOT ENDS
COMPACTED TOPSOIL MIX AS SPECIFIED BELOW. TAMP TOPSOIL MIX AROUND ROOT SYSTEM IN LAYERS OF 150mm
SCARIFY PIT BOTTOM (MINIMUM 150mm)
EXISTING SUBGRADE

SPECIFICATIONS

NOTES:
1. TOPSOIL MIX, SEE SPEC.
2. WATER THOROUGHLY AFTER INSTALLATION
3. EXCAVATE ENTIRE SHRUB BED AS SHOWN ON PROJECT DRAWINGS

D3 SHRUB DETAIL-BARE ROOT

Scale n.t.s.



CLEANLY PRUNE ONLY DAMAGED, DISEASED AND/OR WEAK BRANCHES
SET PLANTS 50mm HIGHER THAN GRADE TO ALLOW FOR SETTLEMENT.
80mm MULCH AS SPECIFIED
CREATE SAUCER AROUND PLANT (except in planting beds)
100
FINISHED GRADE
REMOVE NON-ORGANIC CONTAINERS AND MAINTAIN SOIL BALL INTACT.
CUT SEVERAL SLITS IN ORGANIC CONTAINER TO FACILITATE ROOT PENETRATION.
SCARIFY PIT BOTTOM (MINIMUM 150mm)

D4 SHRUB DETAIL-POTTED

Scale n.t.s.

GENERAL NOTES

1 Contractor shall visit to site to obtain exact knowledge of all existing conditions effecting the proposed work

2 Verify all dimensions and elevations on site and report any discrepancies between the drawings and actual conditions to the Owner's representative prior to commencement of work.

3 Schedule all work to the satisfaction of the Owner's representative prior to execution of the work.

4 Contractor shall locate and protect all underground and overhead utilities prior to and during construction. Utilities shown on the drawing are for convenience only. Contractor shall call for locates at least 48 hours before digging.

5 Protect all existing site elements designated to remain. Repair any damage caused by construction operations to the approval of the Owner's representative.

6 Salvage and stockpile granular materials designated for re-use so as not to interfere with daily operations and emergency vehicle access.

7 See out all elements such as paving and curbing that are to remain. Maintain all catch basins and surface utilities free from debris during construction operations.

8 Contractor to co-ordinate all work with Hamilton Waterfront Development Staff.

9 Contractor to confirm all work with appropriate utilities : ie. Trans Northern Pipeline & Hydro One

10 Proposed asphalt pathway to be minimum 6.0m wide, 150 Granular 'A' minimum and compacted to proposed grades. See drawings and specifications.

EARTH WORK NOTES

Demolition, Removals and Salvage

1 Prior to start of construction, inspect site and verify with Owner's representative structures and materials designated for removal and salvage and objects to be preserved.

2 Perform all demolition in an orderly manner to minimize adverse effect on remaining structures and adjacent waterways.

3 Do not disturb items adjacent to those designated to remain in place.

4 Store salvaged stone materials within site limits and in a location approved by the Owner's representative, until needed for construction.

5 Reinstate area and existing work outside areas of demolition to conditions that existed prior to commencement of work.

Site Preparation and Grading

1 The area to be cleared of trees shall be specifically designated prior to construction.

2 Minimize damage to existing vegetation (both trees and understorey growth) designated to remain or to be protected, as well as compaction and manipulation of soils in these areas. Avoid unnecessary work within the dripline of the canopy of trees to remain.

3 Trees to be removed shall be directed to fall away from trees and undergrowth designated to remain. Selectively remove poor specimens along the shoreline, under the direction of the Owner's representative.

5 Approved backfill: competent, salvaged granular earth fill, free of debris, organic matter and excessive fines, salvaged from excavation and approved by the Owner's representative prior to use.

6 Contractor to provide sediment control fence in excavation area on a stand-by basis or as directed by the Owner's representative.

LANDSCAPE NOTES

Topsoil

1 Topsoil: a fertile, friable, natural loam; containing not less than 4% organic matter for clay loams and not less than 2% organic matter for sandy loams to a maximum of 15% and capable of sustaining vigorous plant growth, free of subsoil contamination, roots and stones over 50mm diameter, reasonably free of weeds (as determined by the Owner's representative), and having a ph ranging from 6.0 to 7.5

2 Soil Mix:
- 3 parts topsoil
- 2 parts finely pulverized Canadian peat moss
- 1 part of well rotted farm manure
- 2 kg of bonemeal per cubic meter

Native Seeding

1 Seeded area will be granted written preliminary Acceptance forty-five (45) days after declaration of last supply. Seeded areas should be properly established with areas designated being free from bare or dead spots and weeds. No soil surface is visible.

2 Fertilizer: balance with minimum analysis of 15-20-20, including 50% controlled release Nitrogen and 0.5% Zinc, or approved equal. Application rate: 750kg/ha (675 lbs per acre)

A. Complete commercial fertilizer, minimum 50% of elements derived from organic sources.
B. Broadcast the specified fertilizer to the surface of seeded areas and incorporate into the top of existing soil.

3 Native Seed Mix: Dry soils meadow mix from Wild Flower Farm Inc. RR3 Schomberg Ont. (905) 850-0286 e-mail : www.wildflower.com

Seed Installation

1 Install seed in late Fall, after the site has received a frost but before the soil is frozen.

2 Install the wildflower and native grass seed using a properly outfitted two box 'Brillion' seeder. (One box carries forb seed the other the grass seed, this way only one pass is required when seeding). Ensure that the seeder is properly calibrated to ensure even and uniform seed distribution. The 'Brillion' seeder will also firm the soil after distributing the seed.

3 On smaller sites of less than one half acre, hand broadcasting is acceptable. Hand broadcasting is also used on erosion prone sites that cannot accommodate the 'Brillion' seeder. Ensure firm seed to soil contact when hand broadcasting by rolling with a lawn roller after seeding.

4 On dry, sandy soils and heavy clay soils, mulch the seed installation with clean, seed free straw. This is best accomplished by chopping and blowing the straw, as chopped straw is less susceptible to being blown away by wind. Apply the mulch so that the straw just covers the soil surface with some soil still visible through the straw.

5 On erosion prone sites, the substitution of straw based erosion control blankets for chopped straw is strongly recommended.

Maintenance - Year 1

1 In late June, mow the site to no less than six inches (15 cm). This will ensure that any weeds not eradicated by the previous year's herbicide application will be controlled. Mowing will also prevent any existing weeds from self sowing. A flail-type mower works best as it chops up the material so it dries out more quickly. DO NOT use rotary or sickle bar mowers as they do not chop the material and the resulting litter will smother the wildflower seedlings. On smaller sites a string trimmer or 'Weed-Eater' works fine.

2 In late July, repeat the mowing of the site to no less than six inches (15 cm).

3 DO NOT allow weeds to grow taller than eight to twelve inches (20 - 30 cm).

4 DO NOT pull weeds found in the first year. Wildflower seeding are very small in the first year and pulling weeds will result in pulling the wildflower seedlings up along with the weeds.

5 At the end of the season, DO NOT mow the site, leave it to act as a natural mulch.

Maintenance - Year 2

1 In the spring of the second year, mow the planting to the ground and if possible rake off the cuttings.

2 If weeds remain a problem (biennial weeds can be very competitive in the second year), mow the site to no less than twelve inches (20cm) in early summer. Mow again in mid-summer if necessary.

3 At the end of the season, DO NOT mow the site, leave it to act as natural mulch.

Maintenance - Year 3

1 In mid-spring, generally when the buds of the Sugar Maple tree are just opening, use a controlled fire to burn the meadow. This will remove the accumulated plant litter and warms the soil. DO NOT burn the area if the new plant growth has reached one foot (20 cm) or more. If paths have been installed to create fire management units, burn only one management unit.

2 If fire management units have been installed, burn the second unit in the fall after the plants have gone dormant

3 If burning the site is not an option, mowing and raking off the debris can be substituted.

Maintenance - Year 4 and beyond

1 Establish a rotational cycle of burning (or mowing and raking) of the meadow and its management units. The area that was burned in the spring should be burned in the fall of Year 4 and the area that was burned in the fall of Year 3 should be burned in the spring of Year 5. Alternating the burning times from year to year will provide a balance between the wildflowers and the grasses and prevent any one species from gaining dominance in the planting.

Planting of Trees, Shrubs and Ground Covers

1 All plant material must be nursery grown and meet the specifications set out in the latest guide Specifications for Nursery Stock prepared by the Canadian Nursery Trade Association (C.N.T.A.) for size, height, spread, grading quality and method of cultivation.

2 Plant material: true to name and type , structurally sound, well branched healthy and vigorous and free from disease, insect infestations, rodent damage, sun scald, frost cracks, and other abrasions to the bark and densely foliated with a healthy, well developed root system. Pruned wounds must show vigorous bark on all edges and all parts must show live and green cambium tissue when cut.

3 All material must conform to the sizes shown on plant list, except that larger material may be used when approved by the Owner's representative. Use of larger plants will not increase the contract price.

4 Plant material sizes must conform to the following standards.

A. Caliper - diameter of trunk measured 300mm above the normal grade around the plant.
B. Height - measured from the normal grade around the plant to the top of the main foliage mass.
C. Spread - the diameter of the main foliage mass, at its widest point.

5 Wrap: first quality heavy waterproof crepe paper 100-150mm wide or new, clean burlap strips with a minimum of 150mm wide.

6 The areas to be planted shall be finished to fine , grade and meet the approval of the Owner's representative before planting operations begin.

7 The Owner's representative will mark the location of all trees, shrubs and wildflower planting; including type of planting beds on site.

8 Planting shall be done during periods suitable with respect to weather conditions, locally accepted practices and the approval of the Owner's representative.

9 Planting in shrub beds shall be done in a continuous operation, completed total beds, rather than individual species, unless otherwise specified by the Owner's representative.

10 Place plant plumb in the center of planting pit with minimum of 150mm of compacted planting soil mixture around all sides of the rootball. Ensure crown of rootball is 50mm above finished grade to allow for settling.

11 Backfill tree pits and shrub beds with approved soil mix in 150mm layer and firmly tamp each layers to ensure the plant retains its orientation. Ensure no air pockets remain around the roots. Frozen or saturated soil mixture is unacceptable. When 2/3 of planting soil has been placed, fill hole with water. After water has completely penetrated into soil mixture backfill with soil mixture.

12 Build 100mm deep saucer around outer edge of tree pit as indicated on detail drawings.

Maintenance and Clean-up

1 Before applying tree wrapping, spray trunks with approved wettable powder with a long residual insecticide for better protection.

2 Promptly after planting, wrap all tree trunks with wrap extending from ground level to just above second branch.

3 Pruning: prune plants after planting to compensate for root loss and in such a manner that both the natural shape and character are retained.

A. Do not cut the leader
B. Use only clean, sharp tools.
C. Treat all wounds and cuts over 13mm diameter with approved tree wound dressing.

4 Leaf mulching: cultivate planting soil and remove all weeds before placing approved mulch. Install mulch to cover soil of exposed tree saucers and planting beds to an average depth of 75mm unless otherwise indicated.

5 For plants not in planting bed, mulch cover shall extend 100mm beyond edge of saucer.

6 When plant is in a bed in which the spacing is less than two (2) meters, the entire bed shall be mulched to depth of 75mm. The mulch cover shall extend one (1) meter beyond the peripheral plants of the bed.

specifications

7 At completion of planting operation, remove all debris and excess material from site at no extra cost.

8 Make good all damage resulting from planting operations at no extra cost.

Warranty

1 Warranty all plant material (including trees, shrubs, sod and seedlings) for a period of two years from the date of work is certified as substantially completed.

2 During the guarantee period, replace all material that is dead or not in a satisfactory, healthy growing state or which does not meet the requirements of the specifications, at no extra cost to the contract.

3 All replacement must be plants of the same size and species as shown on the plant list, supplied and planted in accordance with the drawings and

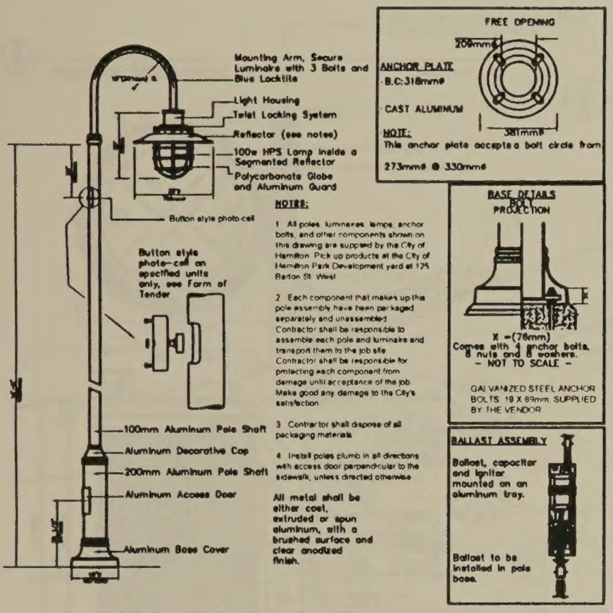
Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONAL TRAIL-
GENERAL NOTES AND DETAILS

Date

Scale NTS

Dwg. No. D1


Mounting Arm, Secure Luminaire with 3 Bolts and Blue Locktite
Light Housing
Twist Locking System
Reflector (see notes)
100w HPS Lamp inside a Segmented Reflector
Polycarbonate Globe and Aluminum Guard
Button style photo cell
Button style photo-cell on specified units only, see Form of Tender
100mm Aluminum Pole Shaft
Aluminum Decorative Cap
200mm Aluminum Pole Shaft
Aluminum Access Door
Aluminum Base Cover
FREE OPENING
209mm
ANCHOR PLATE
B.C:318mmø
CAST ALUMINUM
381mmø
BASE DETAILS
BOLT PROJECTION
X =(76mm)
BALLAST ASSEMBLY

NOTE:
This anchor plate accepts a bolt circle from 273mmø @ 330mmø

Comes with 4 anchor bolts, 8 nuts and 8 washers.
– NOT TO SCALE –

GALVANIZED STEEL ANCHOR BOLTS 19 X 69mm SUPPLIED BY THE VENDOR

Ballast, capacitor and ignitor mounted on an aluminum tray.

Ballast to be installed in pole base.

NOTES:

1 All poles, luminaires, lamps, anchor bolts, and other components shown on this drawing are supplied by the City of Hamilton. Pick up products at the City of Hamilton Park Development yard at 125 Barton St. West

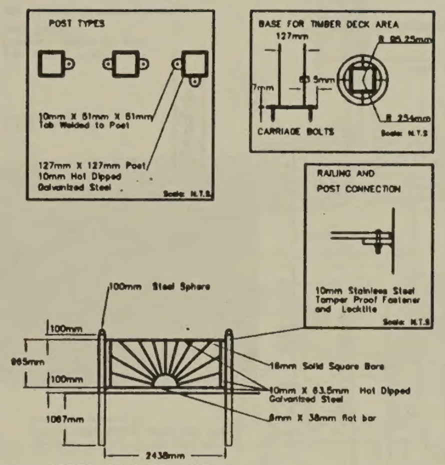
2 Each component that makes up the pole assembly have been packaged separately and unassembled. Contractor shall be responsible to assemble each pole and luminaire and transport them to the job site. Contractor shall be responsible for protecting each component from damage until acceptance of the job. Make good any damage to the City's satisfaction

3 Contractor shall dispose of all packaging materials

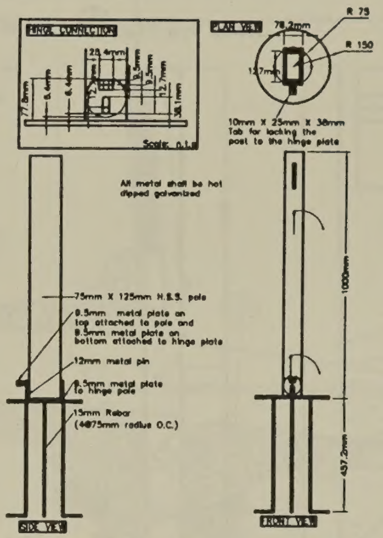
4 Install poles plumb in all directions with access door perpendicular to the sidewalk, unless directed otherwise

All metal shall be either cast, extruded or spun aluminum, with a brushed surface and clear anodized finish.

D1 LIGHT AND POLE DETAIL

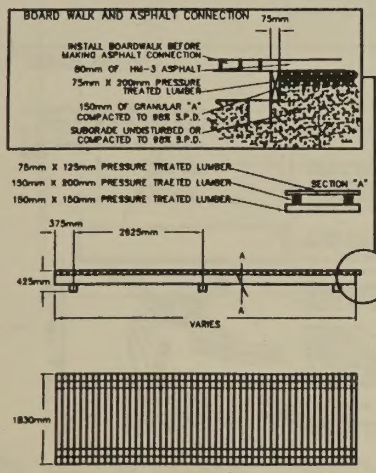

POST TYPES
10mm X 51mm X 51mm Tab Welded to Post
127mm X 127mm Post 10mm Hot Dipped Galvanized Steel
Scale: N.T.S.
BASE FOR TIMBER DECK AREA
127mm
7mm
63.5mm
R 95.25mm
R 254mm
CARRIAGE BOLTS
Scale: N.T.S
RAILING AND POST CONNECTION
10mm Stainless Steel Tamper Proof Fastener and Locktite
Scale: N.T.S
100mm Steel Sphere
100mm
965mm
100mm
1067mm
2438mm
18mm Solid Square Bars
10mm X 63.5mm Hot Dipped Galvanized Steel
8mm X 38mm flat bar

D2 STEEL RAILING DETAIL

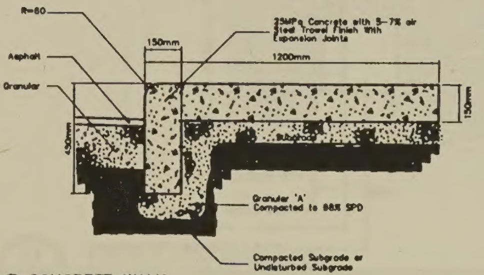

HINGE CONNECTION
28.4mm
77.8mm
6.4mm
6.4mm
9.5mm
9.5mm
12.7mm
38.1mm
Scale: n.t.s
PLAN VIEW
78.2mm
R 75
R 150
127mm
10mm X 25mm X 38mm Tab for locking the post to the hinge plate
All metal shall be hot dipped galvanized
75mm X 125mm H.S.S. pole
9.5mm metal plate on top attached to pole and 9.5mm metal plate on bottom attached to hinge plate
12mm metal pin
9.5mm metal plate to hinge pole
15mm Rebar (4@75mm radius O.C.)
1000mm
457.2mm
SIDE VIEW
FRONT VIEW

D3 BOLLARD DETAIL

Scale: 1:10

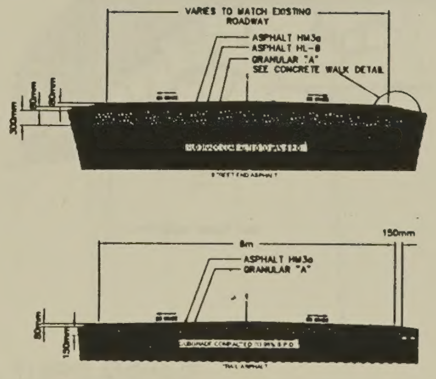

BOARD WALK AND ASPHALT CONNECTION
75mm
INSTALL BOARDWALK BEFORE MAKING ASPHALT CONNECTION
80mm OF HM-3 ASPHALT
75mm X 200mm PRESSURE TREATED LUMBER
150mm OF GRANULAR "A" COMPACTED TO 98% S.P.D.
SUBGRADE UNDISTURBED OR COMPACTED TO 98% S.P.D.
75mm X 125mm PRESSURE TREATED LUMBER
150mm X 200mm PRESSURE TRAETED LUMBER
150mm X 150mm PRESSURE TREATED LUMBER
SECTION "A"
375mm
2625mm
425mm
A
A
VARIES
1830mm

D4 BOARDWALK DETAIL


R=60
Asphalt
Granular
150mm
25MPa Concrete with 5-7% air Steel Trowel Finish With Expansion Joints
1200mm
150mm
450mm
Subgrade
Granular 'A' Compacted to 98% SPD
Compacted Subgrade or Undisturbed Subgrade

D5 CONCRETE WALK

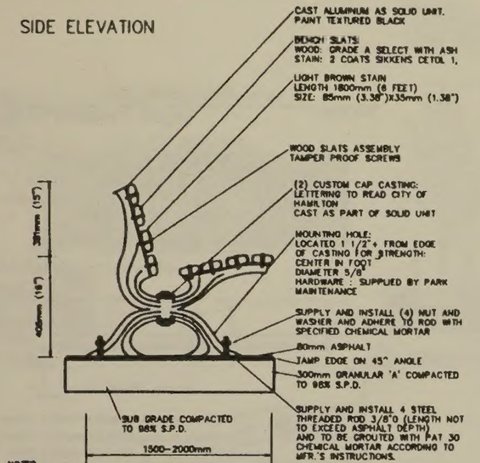
Scale: 1:10


VARIES TO MATCH EXISTING ROADWAY
ASPHALT HM3a
ASPHALT HL-8
GRANULAR "A"
SEE CONCRETE WALK DETAIL
300mm
STREET END ASPHALT
8m
150mm
ASPHALT HM3a
GRANULAR "A"
80mm
150mm
TRAIL ASPHALT

D6 ASPHALT DETAIL

Project
HAMILTON BEACH
RECREATIONAL TRAIL-
DETAILS

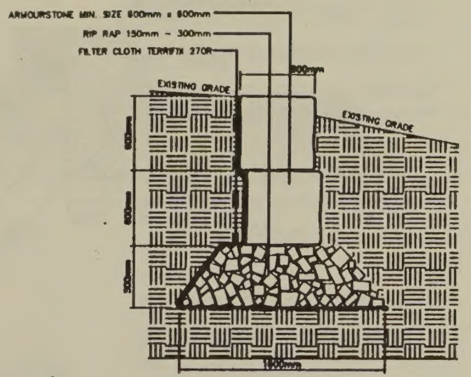
Date
Scale AS SHOWN
Dwg. No.
D2


SIDE ELEVATION
CAST ALUMINUM AS SOLID UNIT. PAINT TEXTURED BLACK
BENCH SLATS:
WOOD: GRADE A SELECT WITH ASH
STAIN: 2 COATS SIKKENS CETOL 1,
LIGHT BROWN STAIN
LENGTH 1800mm (6 FEET)
SIZE: 85mm (3.38")X35mm (1.38")
WOOD SLATS ASSEMBLY TAMPER PROOF SCREWS
(2) CUSTOM CAP CASTING: LETTERING TO READ CITY OF HAMILTON CAST AS PART OF SOLID UNIT
MOUNTING HOLE: LOCATED 1 1/2"+ FROM EDGE OF CASTING FOR STRENGTH: CENTER IN FOOT DIAMETER 5/8" HARDWARE : SUPPLIED BY PARK MAINTENANCE
SUPPLY AND INSTALL (4) NUT AND WASHER AND ADHERE TO ROD WITH SPECIFIED CHEMICAL MORTAR
80mm ASPHALT
TAMP EDGE ON 45° ANGLE
300mm GRANULAR 'A' COMPACTED TO 98% S.P.D.
SUPPLY AND INSTALL 4 STEEL THREADED ROD 3/8"0 (LENGTH NOT TO EXCEED ASPHALT DEPTH) AND TO BE GROUTED WITH PAT 30 CHEMICAL MORTAR ACCORDING TO MFR.'S INSTRUCTIONS.
SUB GRADE COMPACTED TO 98% S.P.D.
1500–2000mm
381mm (15")
406mm (16")

NOTES
1) ALL DIMENSIONS ARE IN MILLIMETERS.
2) ALL CAST PIECES TO BE FINISHED WITH A BAKED-ON POLYESTER POWDER THAT IS U.V. STABLE COLOR TO BE BLACK WITH TEXTURED FINISH.
3) INSTALLATION BY PARK MAINTENANCE

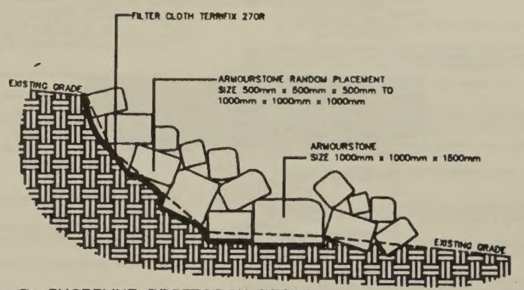
D1 BENCH DETAIL

Scale n.t.s.


ARMOURSTONE MIN. SIZE 600mm x 600mm
RIP RAP 150mm – 300mm
FILTER CLOTH TERRAFIX 270R
600mm
EXISTING GRADE
EXISTING GRADE
600mm
600mm
300mm
1800mm

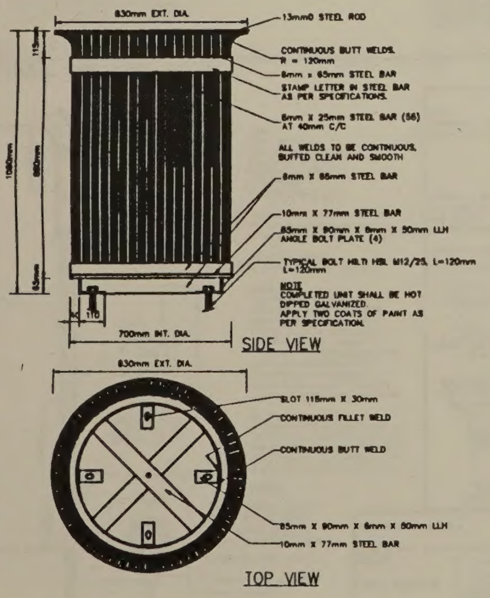
D2 ARMOURSTONE DETAIL

Scale 1:20


FILTER CLOTH TERRAFIX 270R
ARMOURSTONE RANDOM PLACEMENT SIZE 500mm x 500mm x 500mm TO 1000mm x 1000mm x 1000mm
ARMOURSTONE SIZE 1000mm x 1000mm x 1500mm
EXISTING GRADE
EXISTING GRADE

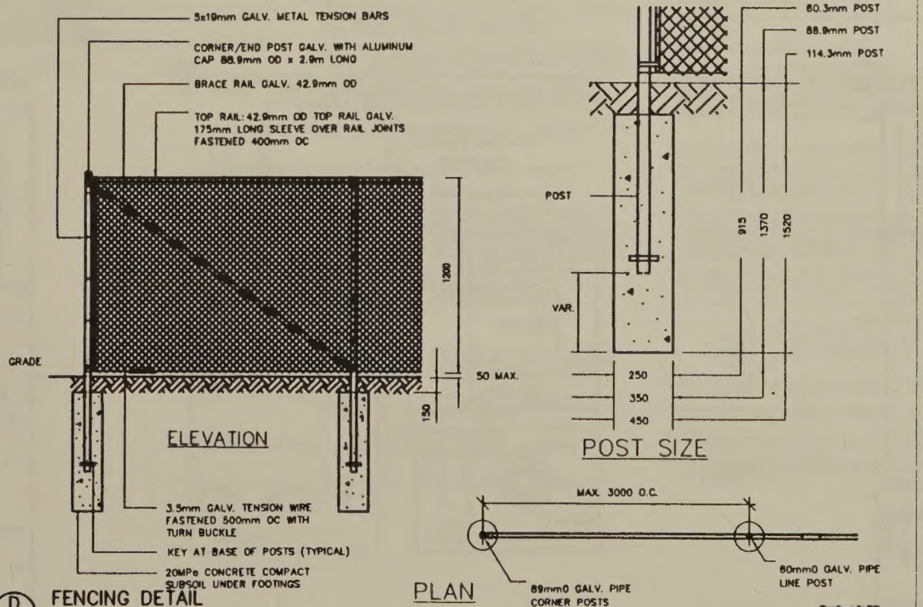
D4 SHORELINE PROTECTION DETAIL

Scale 1:50


830mm EXT. DIA.
13mm0 STEEL ROD
CONTINUOUS BUTT WELDS. R = 120mm
8mm x 65mm STEEL BAR
STAMP LETTER IN STEEL BAR AS PER SPECIFICATIONS.
8mm X 25mm STEEL BAR (56) AT 40mm C/C
ALL WELDS TO BE CONTINUOUS, BUFFED CLEAN AND SMOOTH
8mm X 65mm STEEL BAR
10mm X 77mm STEEL BAR
65mm X 90mm X 8mm X 50mm LLH ANGLE BOLT PLATE (4)
TYPICAL BOLT HILTI HSL M12/25, L=120mm L=120mm
NOTE
COMPLETED UNIT SHALL BE HOT DIPPED GALVANIZED.
APPLY TWO COATS OF PAINT AS PER SPECIFICATION.
1080mm
880mm
115mm
85mm
110
700mm INT. DIA.
SIDE VIEW
830mm EXT. DIA.
SLOT 115mm X 30mm
CONTINUOUS FILLET WELD
CONTINUOUS BUTT WELD
65mm X 90mm X 8mm X 50mm LLH
10mm X 77mm STEEL BAR
TOP VIEW

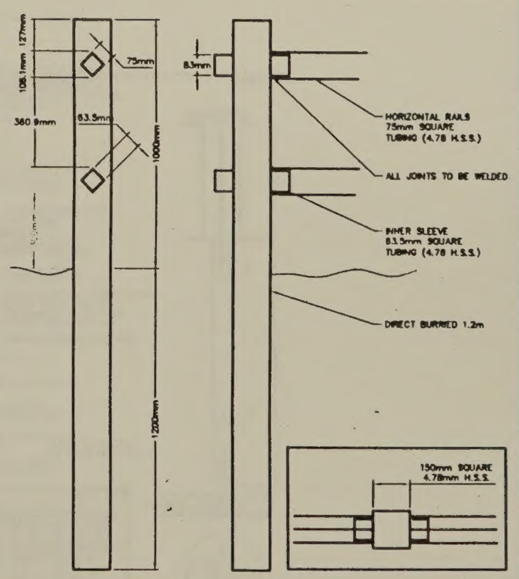
D4 GARBAGE RECEPTACLE DETAIL

Scale n.t.s.


5x19mm GALV. METAL TENSION BARS
CORNER/END POST GALV. WITH ALUMINUM CAP 88.9mm OD x 2.9m LONG
BRACE RAIL GALV. 42.9mm OD
TOP RAIL: 42.9mm OD TOP RAIL GALV. 175mm LONG SLEEVE OVER RAIL JOINTS FASTENED 400mm OC
GRADE
1200
50 MAX.
150
ELEVATION
3.5mm GALV. TENSION WIRE FASTENED 500mm OC WITH TURN BUCKLE
KEY AT BASE OF POSTS (TYPICAL)
20MPa CONCRETE COMPACT SUBSOIL UNDER FOOTINGS
60.3mm POST
88.9mm POST
114.3mm POST
POST
VAR.
915
1370
1520
250
350
450
POST SIZE
MAX. 3000 O.C.
89mm0 GALV. PIPE CORNER POSTS
60mm0 GALV. PIPE LINE POST
PLAN

D5 FENCING DETAIL

Scale 1:20

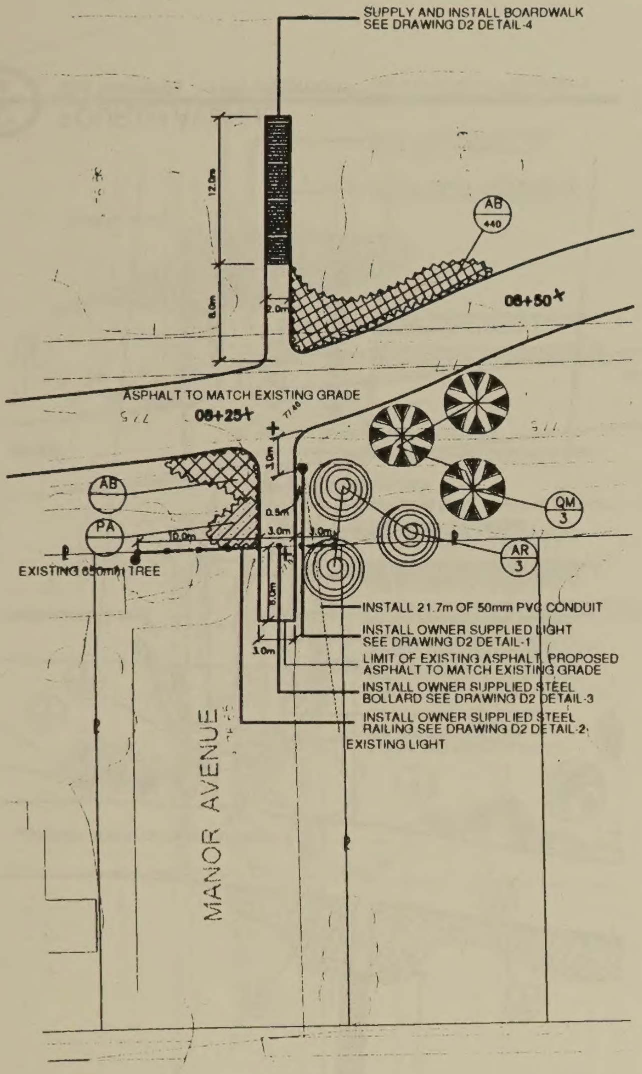

108.1mm
127mm
75mm
360.9mm
63.5mm
1000mm
1200mm
83mm
HORIZONTAL RAILS 75mm SQUARE TUBING (4.78 H.S.S.)
ALL JOINTS TO BE WELDED
INNER SLEEVE 63.5mm SQUARE TUBING (4.78 H.S.S.)
DIRECT BURRIED 1.2m
150mm SQUARE 4.78mm H.S.S.

D3 STEEL RAIL FENCE

Scale 1:10

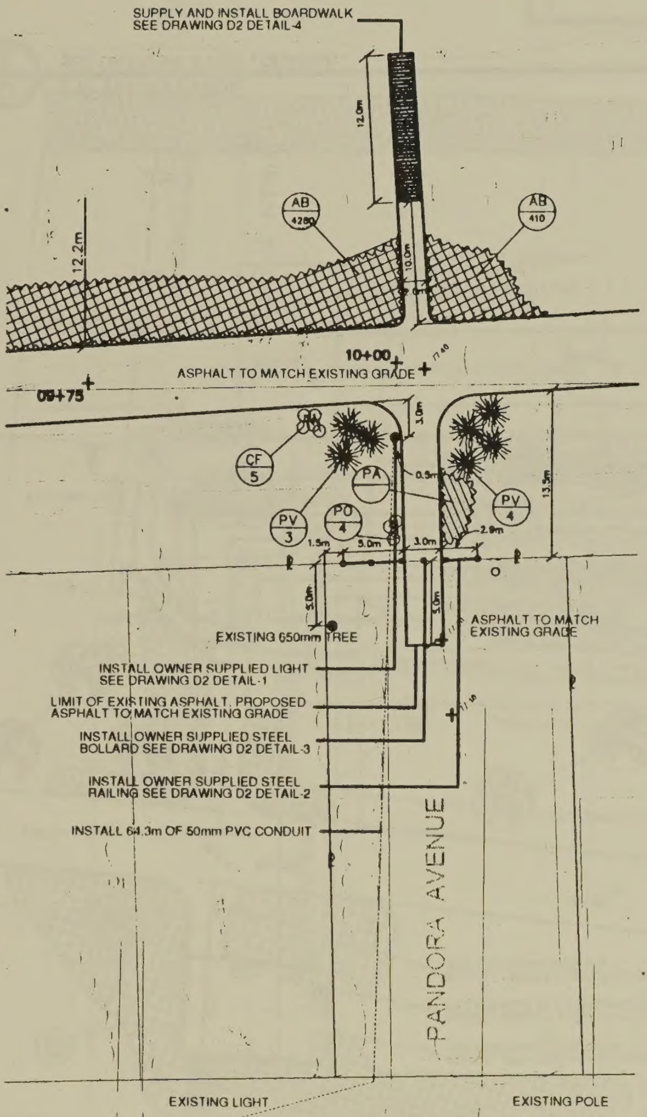
Project
HAMILTON BEACH
RECREATIONAL TRAIL-
DETAILS

Date
Scale AS SHOWN
Dwg No. D3


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
12.0m
8.0m
2.0m
AB 440
08+50
ASPHALT TO MATCH EXISTING GRADE
08+25
AB
PA
QM 3
AR 3
10.0m
0.5m
3.0m
3.0m
6.0m
3.0m
EXISTING 650mm TREE
INSTALL 21.7m OF 50mm PVC CONDUIT
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
LIMIT OF EXISTING ASPHALT, PROPOSED ASPHALT TO MATCH EXISTING GRADE
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
EXISTING LIGHT
MANOR AVENUE

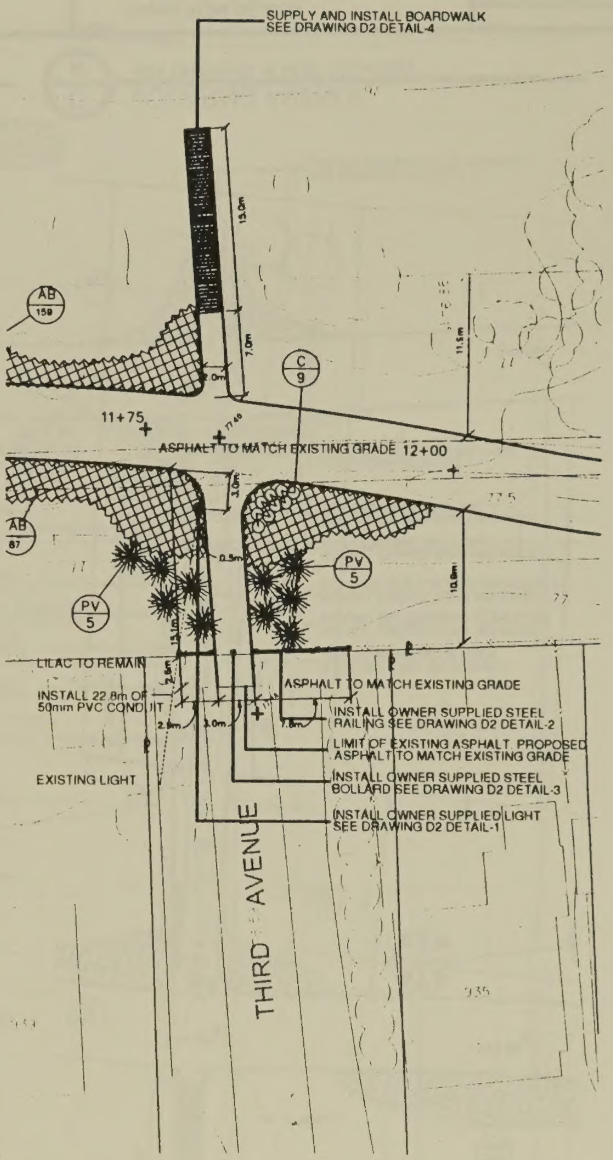
D 1 **MANOR AVENUE**

SEE DRAWING 5 FOR LOCATION


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
12.0m
12.2m
10.0m
AB 4280
AB 410
10+00
ASPHALT TO MATCH EXISTING GRADE
09+75
CF 5
PA
PV 3
PO 4
PV 4
1.5m
5.0m
3.0m
0.5m
2.9m
13.5m
EXISTING 650mm TREE
ASPHALT TO MATCH EXISTING GRADE
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
LIMIT OF EXISTING ASPHALT, PROPOSED ASPHALT TO MATCH EXISTING GRADE
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
INSTALL 64.3m OF 50mm PVC CONDUIT
PANDORA AVENUE
EXISTING LIGHT
EXISTING POLE

D 2 **PANDORA AVENUE**

SEE DRAWING 5 FOR LOCATION


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
13.0m
7.0m
11.5m
AB 159
C 9
11+75
ASPHALT TO MATCH EXISTING GRADE 12+00
AB 87
PV 5
PV 5
0.5m
10.0m
LILAC TO REMAIN
INSTALL 22.8m OF 50mm PVC CONDUIT
2.9m
3.0m
7.8m
ASPHALT TO MATCH EXISTING GRADE
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
LIMIT OF EXISTING ASPHALT, PROPOSED ASPHALT TO MATCH EXISTING GRADE
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
EXISTING LIGHT
THIRD AVENUE

D 3 **THIRD AVENUE**

SEE DRAWING 6 FOR LOCATION

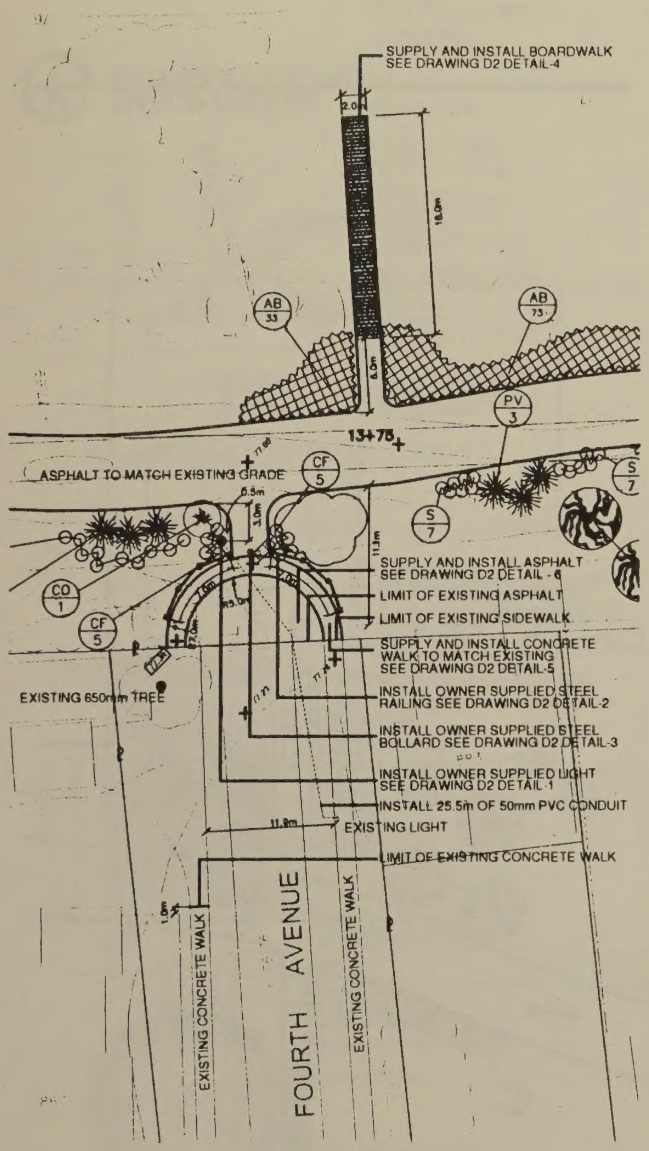
Project

HAMILTON BEACH
RECREATIONAL TRAIL-
STREET ENDS

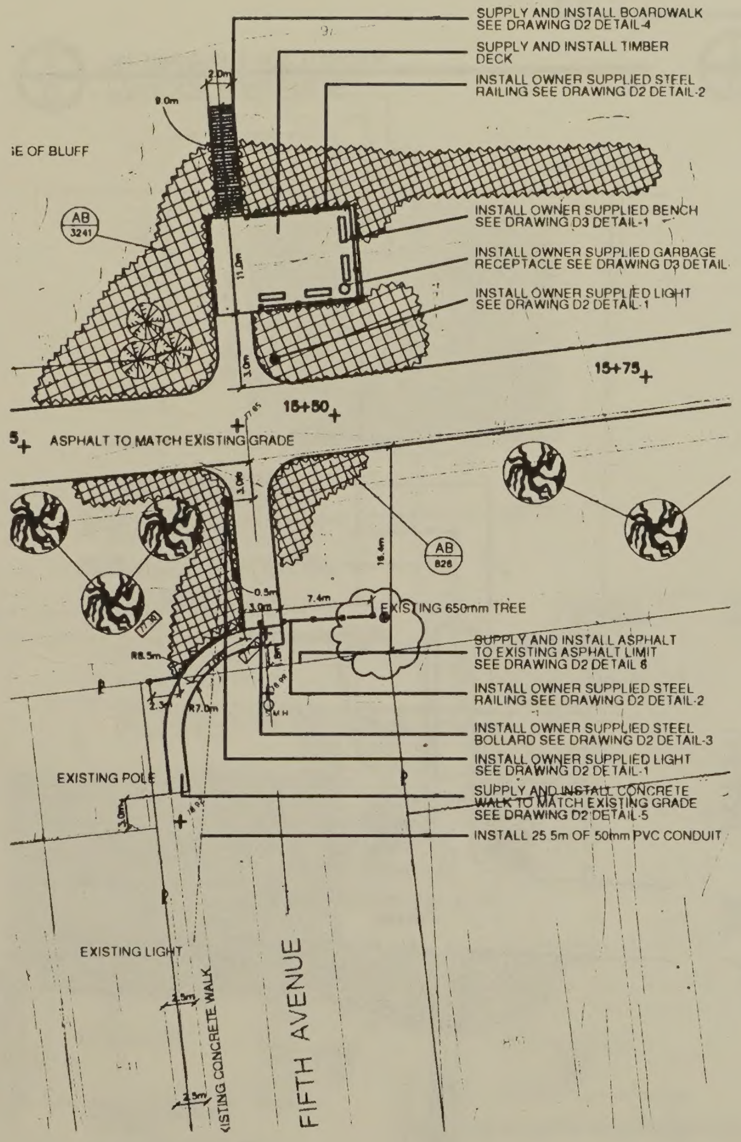
Date

Scale 1:500

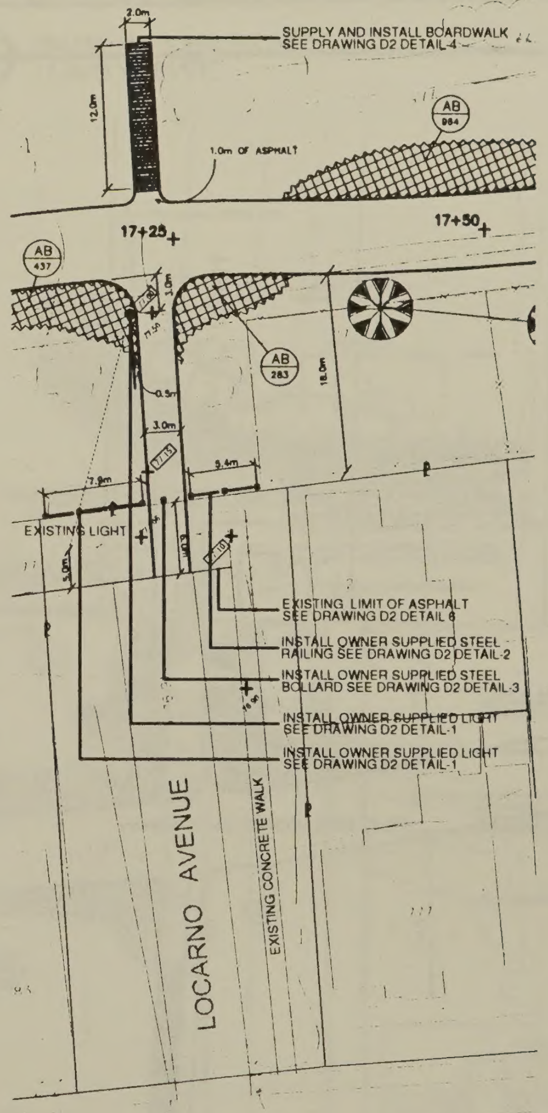
Dwg. No. S1


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
2.0m
18.0m
6.0m
AB 33
AB 73
PV 3
13+75
ASPHALT TO MATCH EXISTING GRADE
CF 5
S 7
0.5m
3.0m
11.3m
CO 1
CF 5
R5.0m
SUPPLY AND INSTALL ASPHALT SEE DRAWING D2 DETAIL - 6
LIMIT OF EXISTING ASPHALT
LIMIT OF EXISTING SIDEWALK
SUPPLY AND INSTALL CONCRETE WALK TO MATCH EXISTING SEE DRAWING D2 DETAIL-5
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
INSTALL 25.5m OF 50mm PVC CONDUIT
EXISTING LIGHT
EXISTING 650mm TREE
11.8m
LIMIT OF EXISTING CONCRETE WALK
EXISTING CONCRETE WALK
FOURTH AVENUE
EXISTING CONCRETE WALK

D
4
FOURTH AVENUE
SEE DRAWING 7 FOR LOCATION


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
SUPPLY AND INSTALL TIMBER DECK
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
INSTALL OWNER SUPPLIED BENCH SEE DRAWING D3 DETAIL-1
INSTALL OWNER SUPPLIED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
2.0m
9.0m
11.0m
3.0m
ɪE OF BLUFF
AB 3241
15+75
15+50
ASPHALT TO MATCH EXISTING GRADE
AB 826
18.4m
0.5m
3.0m
7.4m
EXISTING 650mm TREE
R8.5m
R7.0m
2.3m
SUPPLY AND INSTALL ASPHALT TO EXISTING ASPHALT LIMIT SEE DRAWING D2 DETAIL 6
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
SUPPLY AND INSTALL CONCRETE WALK TO MATCH EXISTING GRADE SEE DRAWING D2 DETAIL-5
INSTALL 25.5m OF 50mm PVC CONDUIT
EXISTING POLE
EXISTING LIGHT
2.5m
EXISTING CONCRETE WALK
FIFTH AVENUE

D
5
FIFTH AVENUE
SEE DRAWING 8 FOR LOCATION

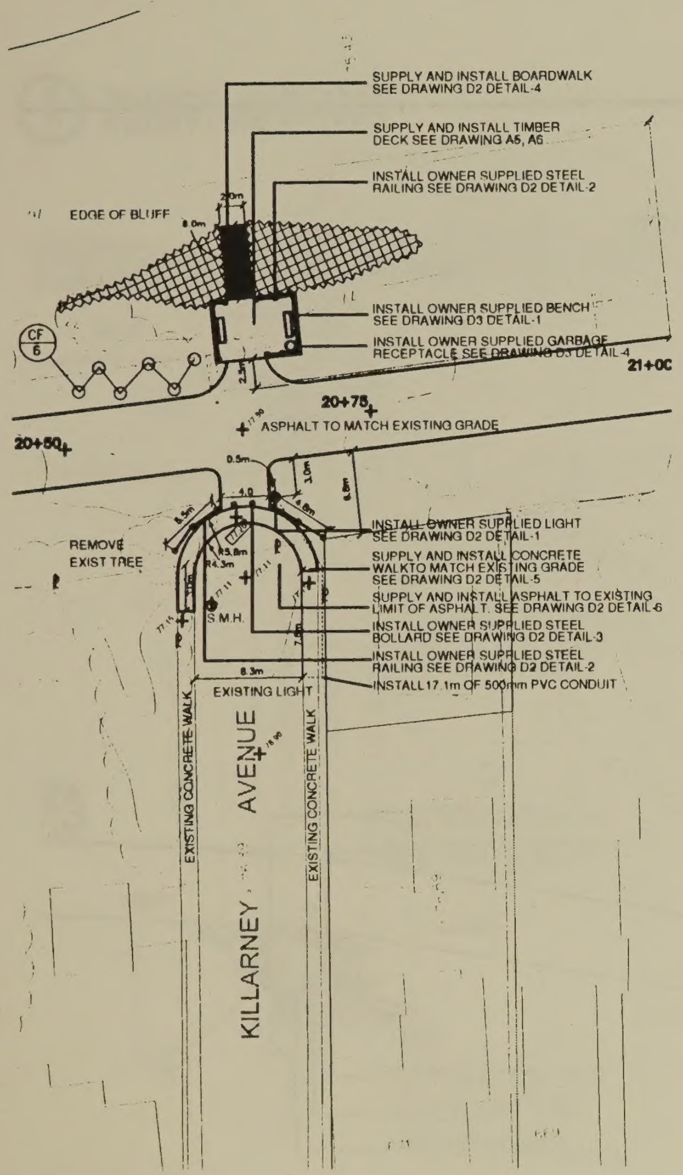

2.0m
12.0m
SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
AB 984
1.0m OF ASPHALT
17+25
17+50
AB 437
AB 283
18.0m
0.5m
3.0m
7.9m
3.4m
EXISTING LIGHT
5.0m
6.0m
EXISTING LIMIT OF ASPHALT SEE DRAWING D2 DETAIL 6
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
LOCARNO AVENUE
EXISTING CONCRETE WALK

D
6
LOCARNO AVENUE
SEE DRAWING 9 FOR LOCATION

Hamilton Waterfront Trust

Project
HAMILTON BEACH
RECREATIONALTRAIL-
STREET ENDS

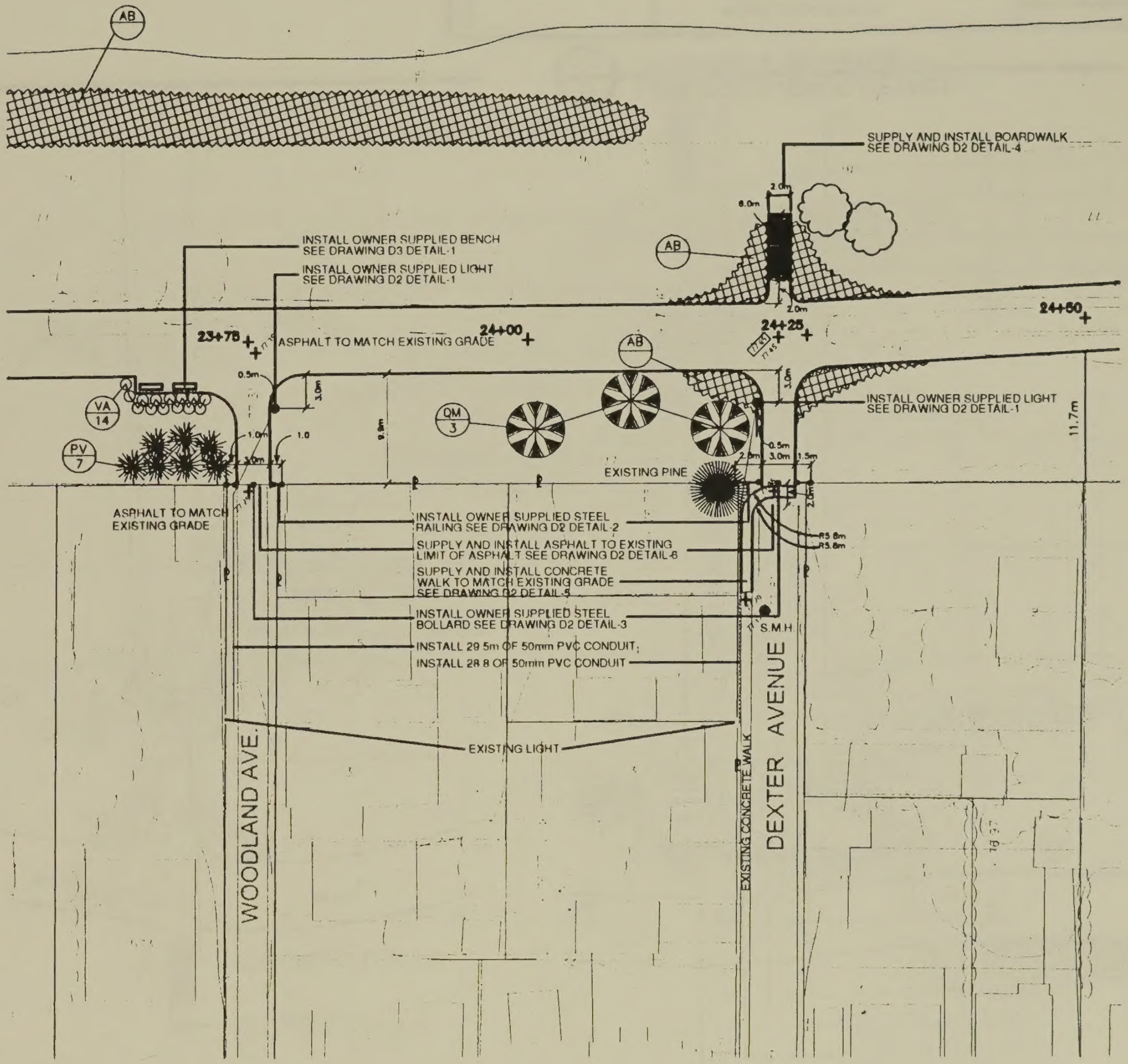
Date
1:200
S2


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
SUPPLY AND INSTALL TIMBER DECK SEE DRAWING A5, A6
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
EDGE OF BLUFF
2.0m
8.0m
INSTALL OWNER SUPPLIED BENCH SEE DRAWING D3 DETAIL-1
INSTALL OWNER SUPPLIED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL-4
CF
6
21+0C
20+75
ASPHALT TO MATCH EXISTING GRADE
20+50
0.5m
4.0
3.0m
6.8m
REMOVE EXIST TREE
R5.8m
R4.3m
S.M.H.
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
SUPPLY AND INSTALL CONCRETE WALK TO MATCH EXISTING GRADE SEE DRAWING D2 DETAIL-5
SUPPLY AND INSTALL ASPHALT TO EXISTING LIMIT OF ASPHALT. SEE DRAWING D2 DETAIL-6
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
INSTALL 17.1m OF 500mm PVC CONDUIT
8.3m
EXISTING LIGHT
EXISTING CONCRETE WALK
KILLARNEY AVENUE
EXISTING CONCRETE WALK

KILLARNEY AVENUE DETAILS

D
7

SEE DRAWING 11 FOR LOCATION


AB
SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
2.0m
6.0m
AB
INSTALL OWNER SUPPLIED BENCH SEE DRAWING D3 DETAIL-1
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
24+50
23+75
ASPHALT TO MATCH EXISTING GRADE
24+00
24+25
AB
0.5m
3.0m
QM
3
VA
14
PV
7
1.0m
1.0
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
11.7m
0.5m
3.0m
1.5m
EXISTING PINE
ASPHALT TO MATCH EXISTING GRADE
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
SUPPLY AND INSTALL ASPHALT TO EXISTING LIMIT OF ASPHALT SEE DRAWING D2 DETAIL-6
SUPPLY AND INSTALL CONCRETE WALK TO MATCH EXISTING GRADE SEE DRAWING D2 DETAIL-5
R5.8m
R5.8m
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
S.M.H
INSTALL 29.5m OF 50mm PVC CONDUIT
INSTALL 28.8 OF 50mm PVC CONDUIT
EXISTING LIGHT
WOODLAND AVE.
EXISTING CONCRETE WALK
DEXTER AVENUE

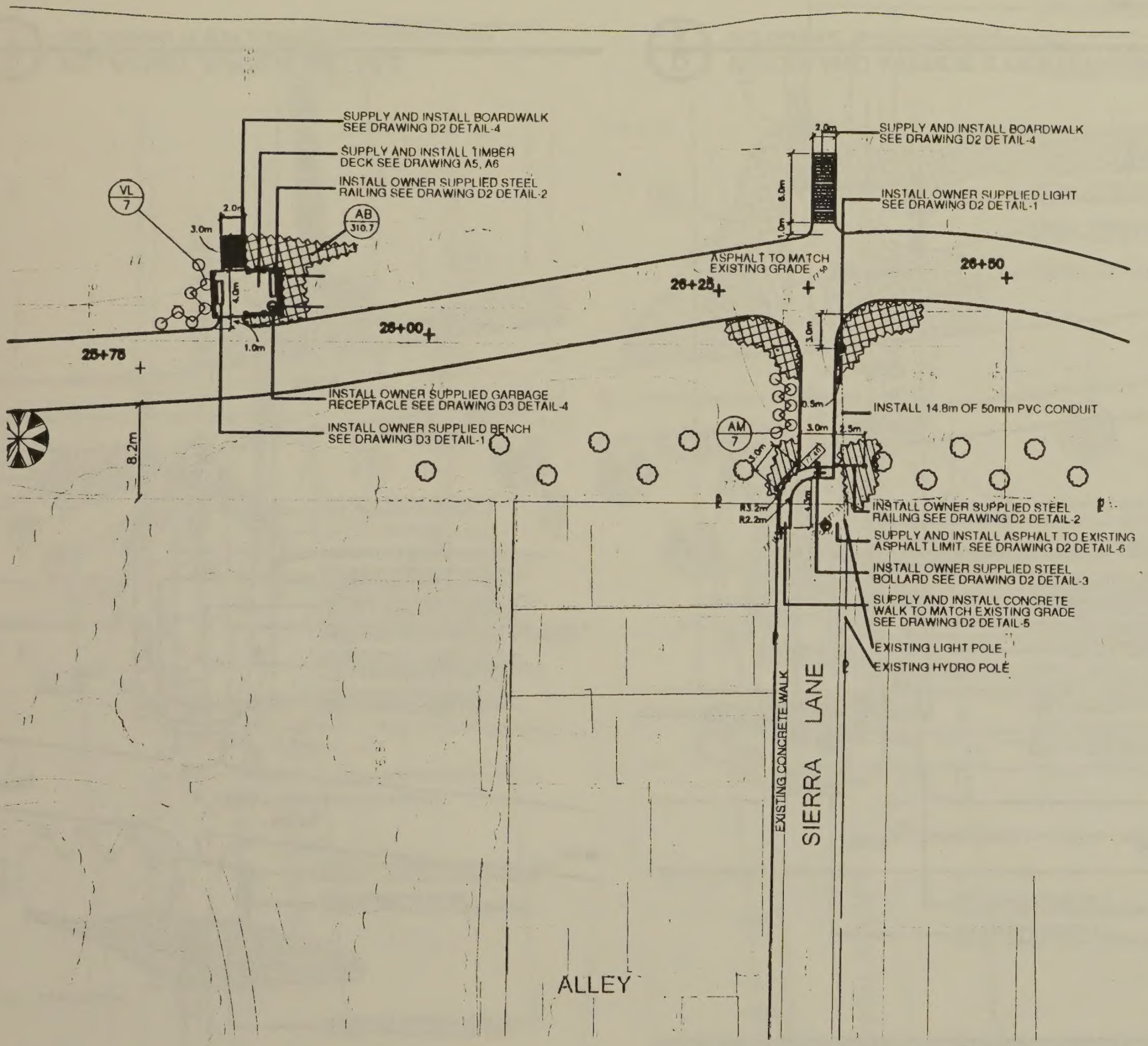
WOODLAND AVENUE & DEXTER AVENUE DETAILS

D
8

SEE DRAWING 12 FOR LOCATION

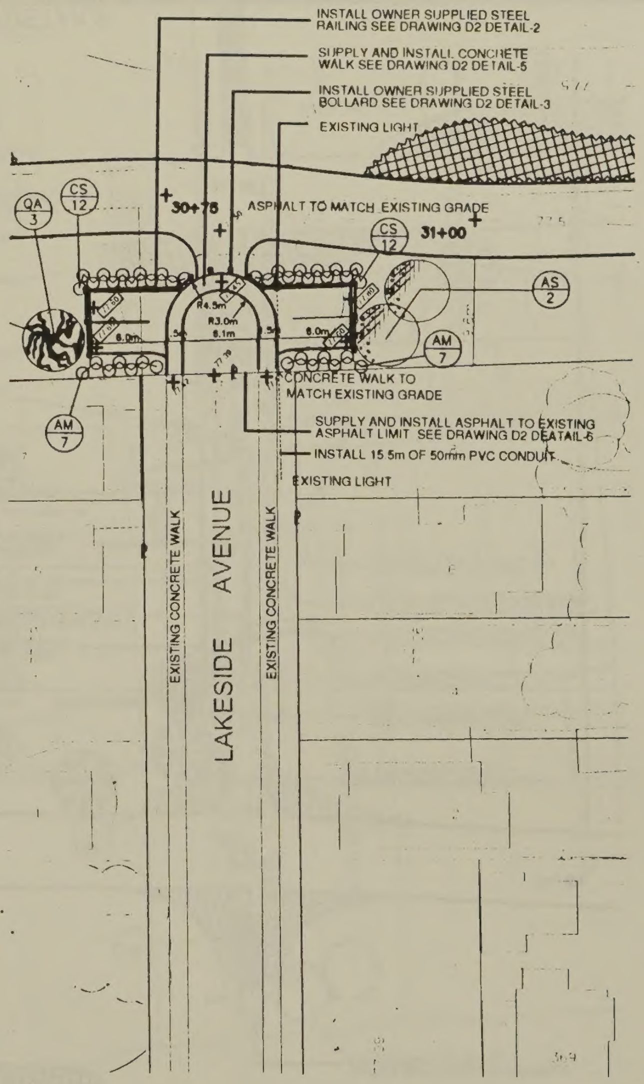
Project
HAMILTON BEACH
RECREATIONAL TRAIL-
STREET ENDS

Date
Scale 1:200
Dwg No. S3


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
SUPPLY AND INSTALL TIMBER DECK SEE DRAWING A5, A6
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
VL 7
AB 310.7
3.0m
2.0m
4.0m
1.0m
25+75
26+00
8.2m
INSTALL OWNER SUPPLIED GARBAGE RECEPTACLE SEE DRAWING D3 DETAIL-4
INSTALL OWNER SUPPLIED BENCH SEE DRAWING D3 DETAIL-1
SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
2.0m
6.0m
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
ASPHALT TO MATCH EXISTING GRADE
26+25
26+50
AM 7
0.5m
3.0m
2.5m
INSTALL 14.8m OF 50mm PVC CONDUIT
R3.2m
R2.2m
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
SUPPLY AND INSTALL ASPHALT TO EXISTING ASPHALT LIMIT. SEE DRAWING D2 DETAIL-6
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
SUPPLY AND INSTALL CONCRETE WALK TO MATCH EXISTING GRADE SEE DRAWING D2 DETAIL-5
EXISTING LIGHT POLE
EXISTING HYDRO POLE
EXISTING CONCRETE WALK
SIERRA LANE
ALLEY

D 9 SIERRA LANE DETAILS

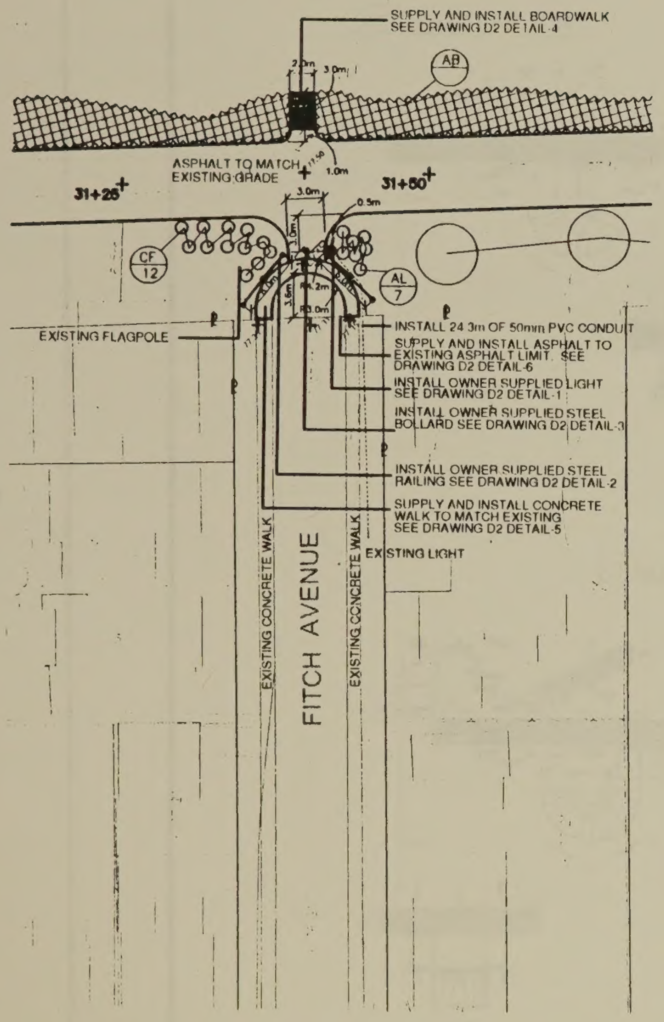
SEE DRAWING 13 FOR LOCATION


INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
SUPPLY AND INSTALL CONCRETE WALK SEE DRAWING D2 DETAIL-5
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
EXISTING LIGHT
QA 3
CS 12
30+75
ASPHALT TO MATCH EXISTING GRADE
CS 12
31+00
AS 2
R4.5m
R3.0m
6.1m
6.0m
6.0m
AM 7
AM 7
CONCRETE WALK TO MATCH EXISTING GRADE
SUPPLY AND INSTALL ASPHALT TO EXISTING ASPHALT LIMIT SEE DRAWING D2 DEATAIL-6
INSTALL 15.5m OF 50mm PVC CONDUIT
EXISTING LIGHT
EXISTING CONCRETE WALK
LAKESIDE AVENUE
EXISTING CONCRETE WALK

D 10 LAKESIDE AVENUE DETAILS

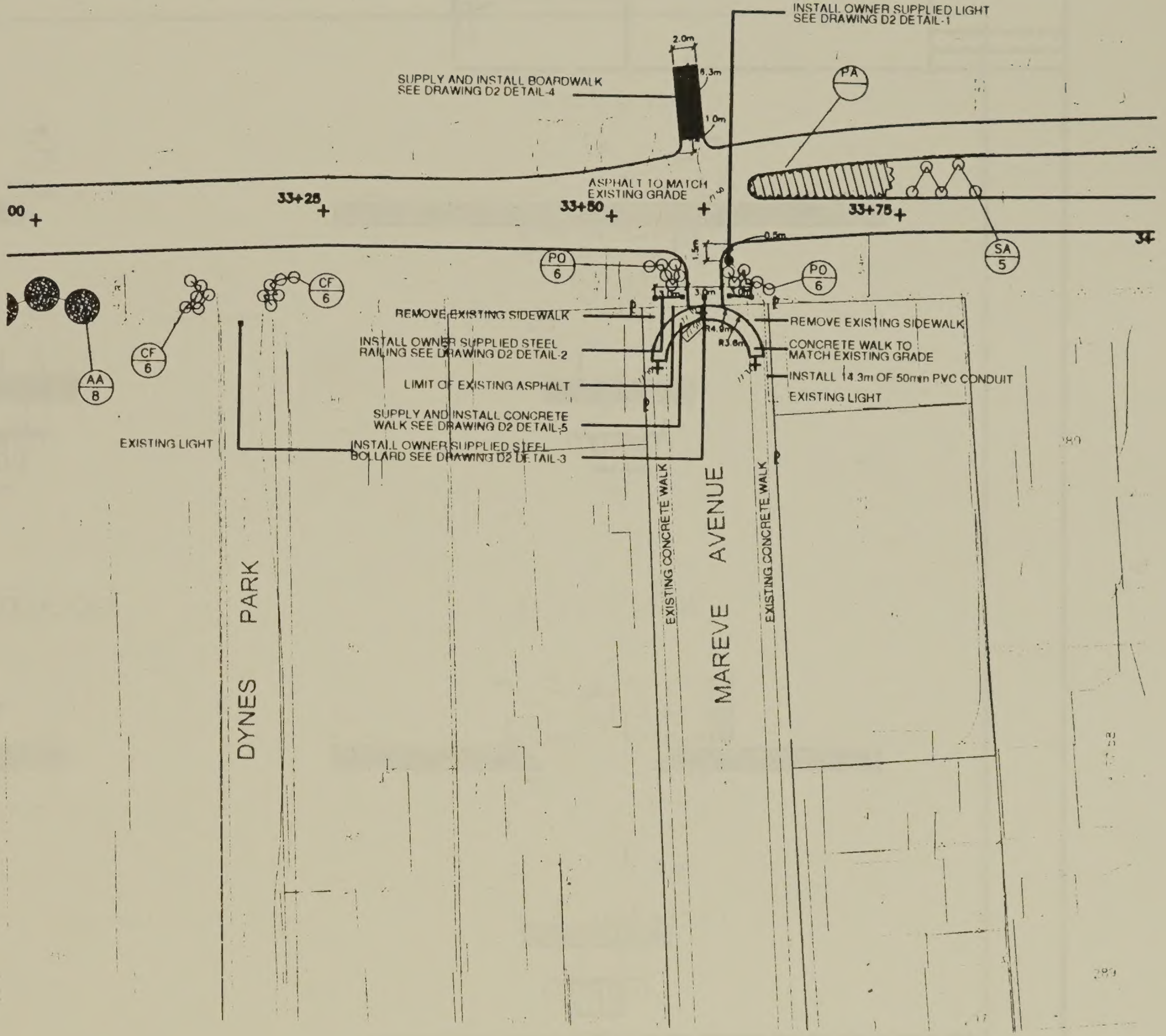
SEE DRAWING 16 FOR LOCATION

Project	Date	
HAMILTON BEACH RECREATIONAL TRAIL- STREET ENDS	Scale	1:200
	Dwg. No.	S4


SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
AB
2.0m
3.0m
ASPHALT TO MATCH EXISTING GRADE
1.0m
31+25
31+50
3.0m
0.5m
CF 12
AL 7
EXISTING FLAGPOLE
INSTALL 24.3m OF 50mm PVC CONDUIT
SUPPLY AND INSTALL ASPHALT TO EXISTING ASPHALT LIMIT. SEE DRAWING D2 DETAIL-6
INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
SUPPLY AND INSTALL CONCRETE WALK TO MATCH EXISTING SEE DRAWING D2 DETAIL-5
EXISTING LIGHT
EXISTING CONCRETE WALK
FITCH AVENUE
EXISTING CONCRETE WALK

D 11 FITCH AVENUE DETAILS

SEE DRAWING 16 FOR LOCATION


INSTALL OWNER SUPPLIED LIGHT SEE DRAWING D2 DETAIL-1
SUPPLY AND INSTALL BOARDWALK SEE DRAWING D2 DETAIL-4
2.0m
6.3m
1.0m
PA
ASPHALT TO MATCH EXISTING GRADE
00
33+25
33+50
33+75
34
0.5m
SA 5
PO 6
PO 6
CF 6
CF 6
AA 8
EXISTING LIGHT
REMOVE EXISTING SIDEWALK
INSTALL OWNER SUPPLIED STEEL RAILING SEE DRAWING D2 DETAIL-2
LIMIT OF EXISTING ASPHALT
SUPPLY AND INSTALL CONCRETE WALK SEE DRAWING D2 DETAIL-5
INSTALL OWNER SUPPLIED STEEL BOLLARD SEE DRAWING D2 DETAIL-3
REMOVE EXISTING SIDEWALK
CONCRETE WALK TO MATCH EXISTING GRADE
INSTALL 14.3m OF 50mm PVC CONDUIT
EXISTING LIGHT
3.0m
R4.0m
R3.6m
DYNES PARK
EXISTING CONCRETE WALK
MAREVE AVENUE
EXISTING CONCRETE WALK

D 12 DYNES PARK & MAREVE AVENUE DETAILS

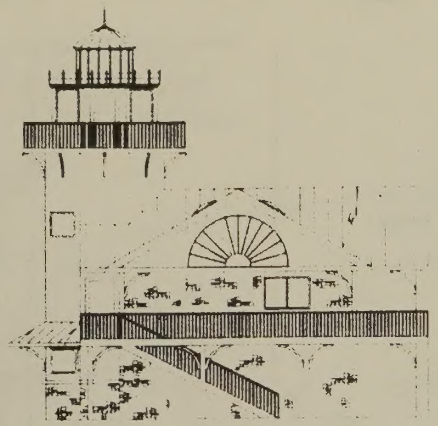
SEE DRAWING 17 FOR LOCATION

Project

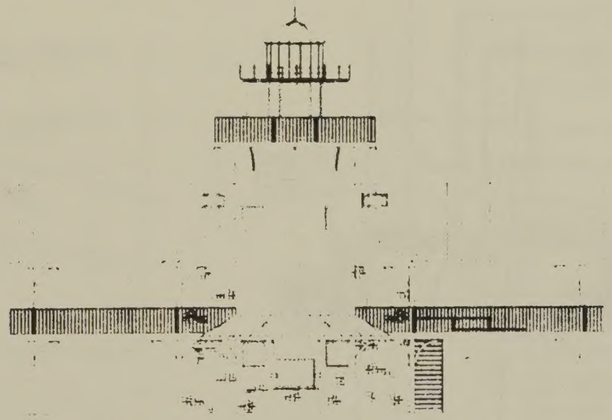
HAMILTON BEACH
RECREATIONAL TRAIL-
STREET ENDS

Scale 1:200

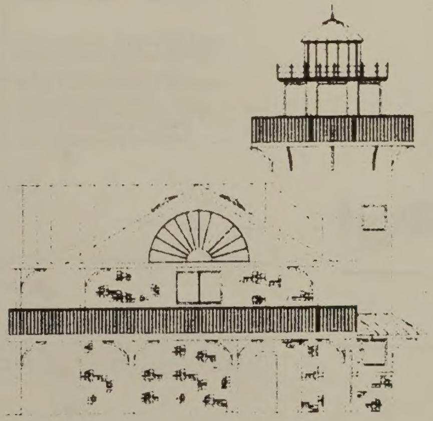
Dwg. No. S5



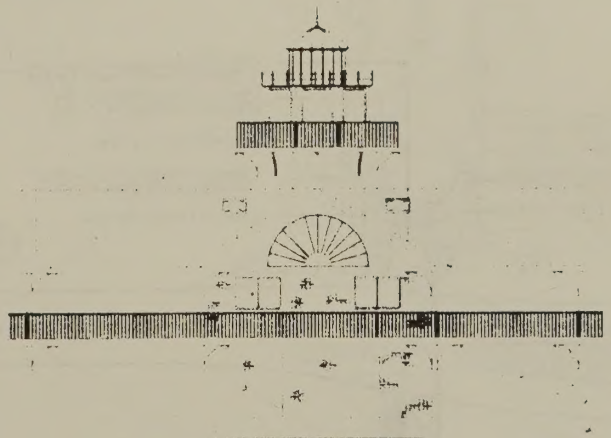
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

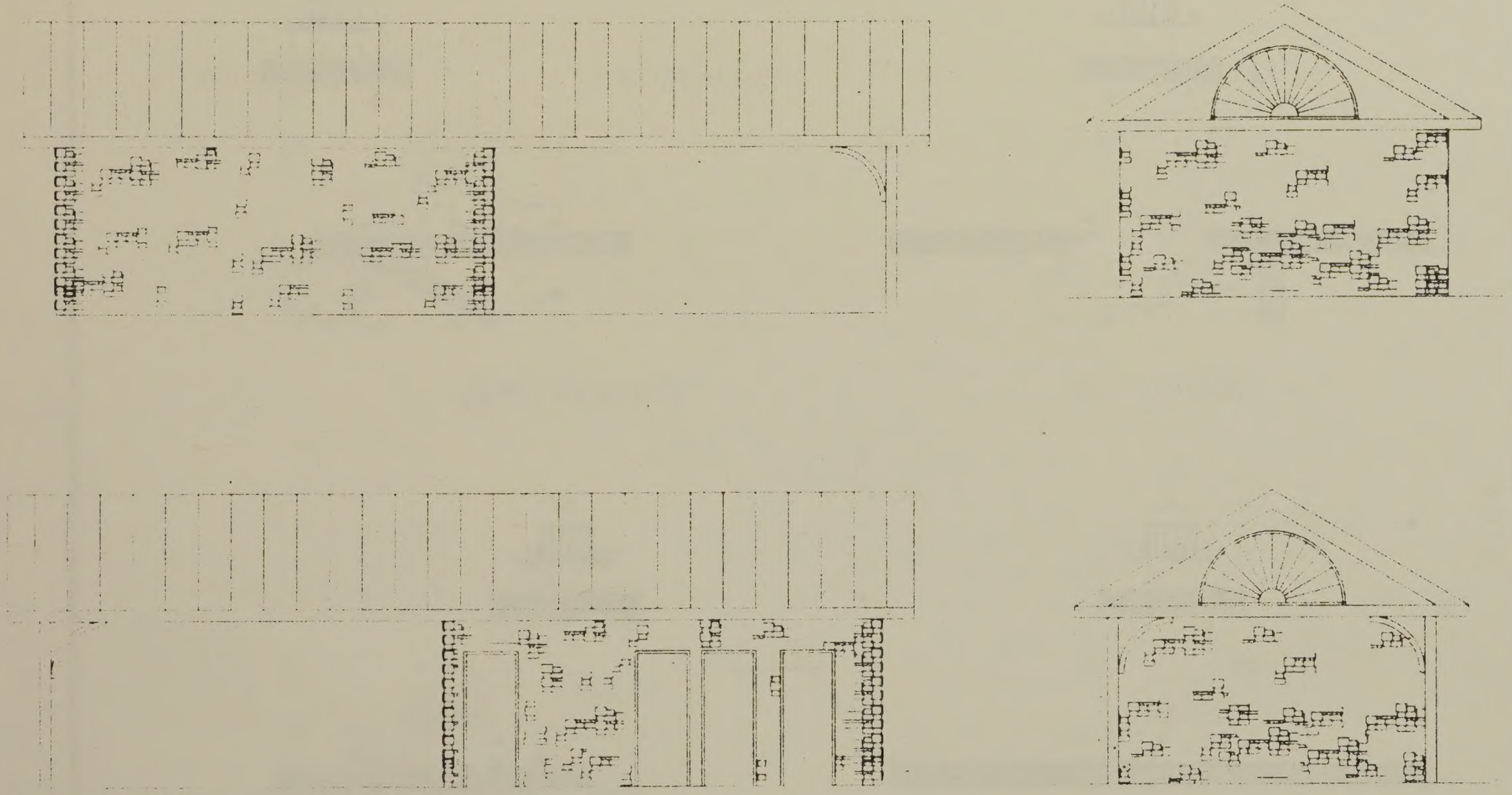
HAMILTON BEACH
RECREATIONAL TRAIL
WASHROOM SHELTER
BUILDING

FIRST FLOOR

SECOND FLOOR

ROOF PLAN

HAMILTON BEACH
RECREATIONAL PARK
BATHROOM SHELTER
BUILDING



PROPOSED WASHROOM SHELTER
BUILDING NEAR THE CANAL

APPENDIX C

Hamilton Waterfront Trust
51 Stuart Street 2nd Floor Hamilton, Ontario L8L 1B5 Phone: 905-525-4498 Fax: 905-540-4498 www.hamiltonwaterfront.com

Hamilton Beach Recreational Trail

Executive Summary

The Hamilton Waterfront Trust is implementing a multi-use trail system along the waterfront with connections to existing trails, existing and future cultural and historic amenities. The Hamilton Beach Recreational Trail from the Burlington Canal to Grays Road in Stoney Creek is 8.5 km long and is generally 6.0 m wide. The multi-use asphalt paved trail can accommodate walkers, joggers, cyclists, in-line skaters and wheelchair users.

The trail consists of three sections (see Exhibit 1):

- The Connection with the Burlington Trail via the Burlington Canal Lift Bridge and Eastport Drive (future phase);
- The northerly 4.2 km Hamilton Beach section extending from the Burlington Canal to the northerly end of Van Wagner's Beach Road;
- The southerly 4.3 km section within Confederation Park.

The planning process includes a review of background studies, identification and evaluation of alternatives, selection and implementing of the preferred trail alignment and ancillary works in consultation with property owners and the Project Advisory Group (PAG). The PAG consists of representatives of government, approval agencies, public interest groups and residents.

The total project costs are estimated at $ 2,830,000. The following will assist in financing the project: Waterfront Regeneration Trust (with funds held in trust), Provincial SuperBuild Corporation, Hamilton Conservation Authority and Hamilton Waterfront Trust.

Project Purpose

The objectives of the project are:

- to establish continuous publicly accessible trail along the water's edge
- to provide a multi-use trail system along the waterfront with connections to existing trails, existing and future cultural and historic amenities
- to enhance the visual quality of strategic gateways to the City

Design Objectives

The following design objectives will guide the development of the trail:

- construct a continuous trail with a paved surface width of 6 m. as close to the shoreline as feasible

- permit the following trail users: walkers, joggers, in-line skaters, cyclists and wheelchair users
- design for year-round use of the trail
- enhance traffic safety for all users and motorists where trails intersect with roads
- separate pedestrians and cyclists where appropriate, e.g. insufficient width, safety
- provide strategically located gateways and staging areas, accessible by car, transit, walking and cycling
- maximize growth of indigenous and natural plant species and remove undesirable and invasive species
- retain and enhance existing features, including the lighthouse and scenic views
- enhance access to the beach
- provide amenities in Confederation Park according to the Conservation Authority's Five-Year Plan, where appropriate and financially warranted
- provide rest areas and other amenities along the trail, where appropriate
- minimize the need for on-going maintenance
- protect existing residential properties

Trail Design and Environmental Factors

Design alternatives are governed by the following trail design and environmental factors:

- trail width: 6.0 m
- local pedestrian access to be provided at each street ends
- design speed: 20 km/h
- safe intersections with streets for all trail users and motorists
- existing indigenous vegetation to be retained
- maximum distance to existing Beach Community residences
- minimum elevation of alignment at 75.6 m MSL.
- only authorized emergency and maintenance motor vehicles permitted on the Trail and Beach
- trail cross slope: 2.0%
- trail grades: 0.5% minimum; 5%maximum (6% for wheelchair ramps)
- Setback from obstructions: 0.5 m. minimum; 1.0 m. desirable

Some of these factors are in conflict with one another. The final alignment will therefore not entirely satisfy all factors.

Design Features

Access

To preserve the residential nature of the Hamilton Beach, access for the general public would occur either from within Confederation Park or the nodal points. The first access point near the Canal will contain an accessible washroom and sun shelter as well as a parking area. The second access will be located between the existing Lakeland Go-Kart and the Lakeland Community Centre, including a large parking area and a building which will contain a multi functional building with accessible washroom, maintenance area and space for concession on the first floor. The second floor will contain a 100 sq.m. meeting room and covered areas for benches and picnic tables. The architectural design proposed for the buildings is based on period architecture borrowing from the prevalent features in the area including a lighthouse feature with a viewing platform overlooking the lake.

Two sun shelters are proposed at Kinsman Pk and off the end of 5th Ave. The attached sketches illustrate the architecture of the proposed buildings. Exhibit 2,3,4.

Street Ends

Public access for Hamilton Beach residents will be at the locations identified above and via the fourteen street ends. The plans are to landscape all street ends to disallow all vehicle access and provide pedestrian access. This will be accomplished by:

- extending existing sidewalks on the side streets across the street end
- installing a 3 m. wide asphalt path from the side walk or end of street if no sidewalk exists to connect to the proposed trail
- installing a decorative railing across the street end at the property line
- installing a bollard in the centre of the 3 m. wide path to ensure vehicle access is prohibited
- landscaping at each street between the end of the street and the 6 m. wide path
- installation of a period light fixture at each street at a height of 4 m. with a street blade mounted on the light standard to identify location along the beach

Rest Nodes

The trail is 4.2 km. long and rest areas are proposed at approximately 0.5 km. intervals. These will be located either at street ends and/or adjacent to public lands. The rest areas will consist of benches, garbage receptacles, interpretative panels and a number will have larger gathering area on a timber deck.

Beach Access

At the present time, access to the beach is not restricted along the entire 4.2 km. Hamilton Beach. The access points used by the public, which presently receive high use, are defined by a lack of vegetation on the existing paths. In order to preserve the sensitive beach vegetation a number of timber boardwalks are proposed to connect the asphalt pathway with the beach. These boardwalks will be 1.8 m. wide and constructed at existing grade with all surrounding areas re-vegetated. The high use areas such as streets ends, etc. will be protected.

Fencing

The 150+ properties that back onto the beach have a variety of existing fencing. The Hamilton Waterfront Trust has approved a fence cost sharing program whereby the Trust will pay 50% of a new 1.2 m. high frost fence if the property owner is prepared to pay 50% of the cost. Should the property owner wish to have a more expensive fence (wood), they would have to pay any costs above the 50% cost of the standard frost fence.

Vegetation

The Trail will act as the borderline between woodland species and dune and beach environment. Planting along the inland side of the trail will be native and indigenous plant species generally successional woodland species. Planting on the beach side will be native beach grasses. Construction of the multi-use trail and connecting boardwalks to the beach will minimize damage to existing sensitive beach areas. Rare species include: Beach Grass, Canada Wild-Rye, Hackberry and Silver weed, which are included in the plant list for the planting along the trail as part of the trail construction. The trail will not interfere with any significant existing plant species. However, significant portions of invasive plant species will be removed as a result of the trail construction.

APPENDIX D

Hamilton Waterfront Trust
51 Stuart Street 2nd Floor Hamilton, Ontario L8L 1B5 Phone: 905-525-4498 Fax: 905-540-4498 www.hamiltonwaterfront.com

Hamilton Beach Recreational Trail Public Participation Process

May 30, 2002

The proposed 4.2 km. long trail will be located on Hamilton Beach along the water's edge through the grass backshore area. This trail will connect the Confederation Park to the Burlington Canal and is consistent with the Lake Ontario Waterfront Trail stretching from Stoney Creek to Quinte West. In addition, the Hamilton Waterfront Trust (HWT) will be working with the Hamilton Conservation Authority (HCA) to upgrade the existing 4.3 km. trail (Breezeway) through Confederation Park.

The Hamilton Waterfront Trust is providing a number of opportunities for the public, and in particular the Beach Community to provide input to the project.

1. A Project Advisory Group (PAG) has been formed to provide input into the final design of the Hamilton Waterfront Trust's Hamilton Beach Recreational Trail. The PAG does not have any legal authority, it is simply a forum to get the best advice from stakeholders and review agencies. Representatives from the municipality, government agencies and stakeholders have met twice to date.
   The following are members of the PAG.

- City of Hamilton Councilor	Chad Collins
- Hamilton Port Authority	Jeff Brookfield
- Hamilton Conservation Authority	Scott Konkle
- Fish & Wildlife Restoration Project	Brenda Axon
- Remedial Action Plan for Hamilton Harbour	John Hall
- Hamilton Naturalists Club	Brian McHattie
- Bay Area Restoration Council	Peter Carmichael
- Hamilton Police	Cameron Rumpel/ Christopher Hastings
- Beach Rescue Unit	Carlo Calligro/Peter Box
- City of Hamilton Design & Construction	Domenic Lunardo/Robert Norman
- City of Hamilton Parks	Al Dore
- City of Hamilton Real Estate	Kevin Nutley
- City of Hamilton Planning	Vanessa Grupe
- Hydro One	Tracy Bellamy
- Trans Northern Pipeline	Satish Kumar
- Lakeside side street resident	Jim Howlett
- Hamilton Beach Garden Club/ Bayside resident	Elisabeth Nebesny
- Lakeside resident	Marian Pacey
- Hamilton Waterfront Trust (HWT)	Werner Plessl

2. Councilor Collins, Councilor for Ward 5 and Chairman of the Hamilton Waterfront Trust also held 14 meetings where Hamilton Beach lakeside owners were invited to view the preliminary plans. Meetings were also held for side street and bay side residents to view the plans.

Werner Plessl, Executive Director of the Hamilton Waterfront Trust made a presentation at these 14 meetings with Hamilton Beach area residents from January to May 2002 to provide information on the trail development and address any concerns the property owners may have. A total of over 130 people attended these meetings with approx. 80% of the residents in favour of the trail development.

3. A public open house to view final plans of the Hamilton Beach Recreational Trail was held on Wednesday May 22, 2002 at the Lakeland Community Centre from 1:00 – 4:00 p.m. and 7:00 – 9:00 p.m. with a notice delivered to each Hamilton Beach residence. Over 200 people attended the open house with 41 written comments received. The comments received can be summarized as follows with the number in brackets:

• Great / start as soon as possible	(15)
• Do not like the trail	(6)
• Reduce the width	(3)
• No asphalt	(3)
• Numerous landscaping comments	(16)
• Fencing	(5)

4. Councilor Collins and W. Plessl have had an additional 11 meetings on site with residents at their homes to discuss details of the proposed trail.

SECTION 8

SECTION 9

SECTION 10

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

10.1

FINANCE AND CORPORATE SERVICES
City Clerk's Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	May 24, 2002	**Prepared by:**	Kevin C. Christenson City Clerk (905) 546-2728

SUBJECT: 2003 Municipal Election (FCS02065) (City Wide)

RECOMMENDATION:

(a) That a Youth Voting program to be called Hamilton Youth Vote 2003, be held in conjunction with Hamilton's 2003 Municipal Election and that staff be directed to approach the Hamilton-Wentworth District School Board, the Hamilton-Wentworth Catholic District School Board, Le Conseil scolarie du district de Hamilton-Wentworth and Le Conseil du district catholique de Hamilton-Wentworth to partner with the City in this project, at a total cost not to exceed $5,000; and,

(b) That the City of Hamilton's share of the $5,000 operating costs for the 2003 Youth Voting Program be funded from the City's Election Reserve Fund; and,

(c) That "2003 Municipal Election Report" (FCS02065) be received.

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with options for a Youth Voting program to be held in conjunction with the 2003 Municipal Election as well as providing an update on the following election operational issues:

- Changes to Voting Subdivisions and Voting Locations
- Advance Voting Strategies
- Voting Options for Electors with Disabilities
- Ballot Layout Options

- Election Signage
- Process for Ward Boundary Changes

BACKGROUND:

In May 2001, a debriefing report was presented to City Council outlining issues requiring attention prior to the 2003 Municipal Election. In approving the report, the City Clerk was directed to bring back a follow-up report to Council addressing such issues as a Youth Voting program, the ballot layout and any other changes prior to their implementation for the 2003 Municipal Election.

This serves as an interim report to recommend a course of action for a Youth Voting program and to provide Council with an update on a number of other municipal election issues being addressed by staff and other city committees. A subsequent election update will be forthcoming later this year.

With the municipal election only a year and a half away, staff have developed an election work plan, identifying priorities, and laying the groundwork in the following areas:

a) Hamilton Youth Vote 2003 Project

History of Youth Voting Programs

1991 saw the launch of the Kids Voting USA® program after it was learned that Costa Rica experienced voter turnouts of about 80%, attributed to their tradition of having children accompanying their parents to the polls, thereby instilling the importance of voting in a democracy at an early age.

A similar pilot project (Our Kids Can Vote™) was initiated in Canada in 2000, by The Learning Partnership, a not-for-profit, volunteer driven, professionally staffed organization. With the support of the Ontario Teachers' Federation, the program was included in the Civics instruction curriculum for Grades 4-10. Five Ontario municipalities - Toronto, Pickering, Burlington, Newmarket and Richmond Hill participated in this pilot project. Hamilton City Council has recognized the benefits of such a program and have directed staff to explore options in running a similar program in concert with the 2003 Municipal Election.

To use the City of Burlington as an example, their 2000 Our Kids Can Vote™ program attracted over 1,400 students and saw adult attendance at advance voting increase to an average of 1,000 voters a day, up from 626 voters a day in 1997 an approximate 60% increase. The increase was particularly significant given the absence of a mayoral race on the ballot.

While The Learning Partnership have decided not to continue this project in 2003 for funding reasons, the City has been advised that they may reconsider if interested municipalities are willing to contribute to the costs of the project.

Purpose of Project

City Council has asked staff to investigate options in running a Youth Voting program in conjunction with the 2003 Municipal Election.

The aims of the project include:

- encouraging Hamilton students to participate in the municipal elections process;
- creating increased awareness of the role of local government and the democratic voting process;
- developing a better-educated electorate;
- establishing life-long voting habits in the next generation of voters;
- providing opportunities to some Hamilton students to gain on-site work experience at the polls; and,
- increasing adult voter turn out at the municipal election.

Project Logistics

Pending City Council approval of the project, Hamilton students would be provided with an opportunity to accompany their parents to one of the polls for advance voting to be held in each of the fifteen wards in conjunction with the 2003 Municipal Election. Advance voting dates, which still require Council approval and are subject to proposed amendments to the Municipal Elections Act, have been tentatively scheduled for Saturday, October 18; Saturday, October 25; and, Saturday, November 1, 2003.

The City would look to the Hamilton School Boards to become partners in this project and to provide input on which grades or age groups of students should be included in this project. As the 2000 Our Kids Can Vote™ program formed part of the Civics curriculum, participants included students from Grades 4 – 10. If not curriculum-based, factors such as who will most benefit from participating in such a program i.e. students who may soon be eligible to vote in municipal elections, should be considered.

The intent of this project is to give students an opportunity to vote on a number of municipal issues/questions, and not to cast ballots for candidates. The issues/questions, to be developed by the School Boards, should have some relevance to the students and be of interest to the community. To keep the process as simple as possible, it is the City's preference that only one ballot be developed and that the issues/questions apply to students from all School Boards. An option for the ballot may include breaking down the issues/questions into two sections – one for elementary students and one for secondary students, if the Boards feel that this would simplify the process for participants.

The City will provide ballot boxes, ballots and supplies at each of the fifteen advance voting locations. Separate and distinctive ballots and ballot boxes will be used for student voting so as not to interfere with the municipal election voting process and to facilitate the easy retrieval and counting of the student ballots.

Each student voting area will be staffed by two students. One student will distribute the student ballots and direct students on voting procedures, while the other maintains a list of students (name, grade and school) that voted at that voting location. With the new community involvement requirement for high school students, it is hoped that the School Boards could provide sufficient students to carry out these responsibilities. Student volunteers would be required to staff the student voting area for all hours that the polls are open (10:00 a.m. to 8:00 p.m.), a schedule for which would need to be developed by the School Boards. Once selected, the City would provide a training session for all students participating in this capacity. A few students, to serve as back ups in the event that one of the scheduled students is not able to carry out his/her function at the polls, should also be identified and included in the training session.

All student ballots will be counted by the students staffing the voting location at the close of polls for advance voting on Saturday, November 1, 2003. Results of the Hamilton Youth Vote 2003 will be released to the media at that time and will also be included with all other election results announced at the close of all regular polls on Monday, November 10, 2003.

With the assistance of the City's Communications Division, a communication plan would need to be developed and launched at the beginning of the school year in September, 2003. The co-operation of the School Boards is also essential to encourage students to participate. Information on student youth voting will be included on the City's Election website and in paid election advertising, where appropriate.

Options

As Council has indicated an interest in participating in a Youth Voting program, two options have been identified and are outlined in greater detail in the Analysis of Alternatives Section of this Report. Staff is recommending Option B (outlined above) which offers a made in Hamilton approach based on the project logistics indicated above.

b) Changes to Voting Subdivisions and Voting Locations

As a result of input received from City Council during discussions over the debriefing report of the 2000 Municipal Election, staff is nearing completion of a comprehensive review of the voting subdivision boundaries and voting locations to be used for the 2003 Hamilton Municipal Election.

The purpose of the review was to examine the number of electors at each voting location; to re-evaluate the voting subdivision boundaries in keeping with existing neighbourhoods and redistribute or add new voting subdivisions where warranted by either location or number of electors; and, to select voting locations that would best meet the needs of the electors in that area.

In undertaking our review, existing voting subdivisions have been repopulated using 2002 assessment data as a means of forecasting the number of eligible electors at each voting location in 2003. As a result, staff have identified a number of voting subdivisions that require boundary adjustments to decrease the number of electors contained therein, as well as the need to create new voting subdivisions in densely populated areas.

Meetings have also been held with Provincial and Federal Election Returning Officers to review City-wide voting locations used for Provincial, Federal and Municipal Elections, to assist in the selection of the best possible voting locations for the community.

A new challenge for 2003 is to decrease the number of elementary schools being used as voting locations, in response to past concerns, primarily by School Principals, regarding the safety and security of younger students with the influx of members of the public to their facilities on election day. Where elementary schools have been used in the past, alternate locations are being considered. While it may not always be possible to find alternate locations, the question of security at these sites will be addressed with either increased election staff and/or meetings with the School Principals to identify measures that address their concerns.

A draft list of voting locations will be in place before the end of 2002 with final selections being made early in 2003. In terms of voter numbers at each voting location, Hamilton is still at the low end of the provincial average compared to other municipalities using similar voting technology.

c) Advance Voting Strategies

In 2000, the Transition Board's advance voting strategy included four opportunities for advance voting – one on a Saturday and three held during the week prior to the election. Special Advance Polls were also held at select locations throughout the City, which did not qualify for a stand alone poll on election day but were identified as requiring special consideration for its residents.

Proposed amendments to the Municipal Elections Act, for the 2003 Municipal Election may include extending the time between nomination day and voting day from the current 31 days to 45 days. If approved, the additional two weeks would provide opportunities for the municipality to run advance voting earlier. If these legislative changes are implemented for 2003, staff is proposing that three advance voting opportunities (tentatively scheduled for Saturday, October 18; Saturday, October 25; and, Saturday, November 1, 2003) be held. In offering earlier voting options, it is hoped that more electors, who may not have been able to otherwise take part in the election process themselves, will now be able to participate without having to appoint a voting proxy to vote on their behalf. This change may benefit those residents that travel out of the country for the winter months.

In keeping with Section 45(7) of the Act, Institutional Polls will be provided for institutions that on nomination day, have 20 or more beds occupied by persons who are disabled, chronically ill or infirm and for retirement homes with 50 or more occupied beds. Staff is currently working to confirm these locations.

Special Advance Polls for locations that do not qualify as Institutional Polls for the purposes of the Act but would clearly benefit from special advanced voting opportunities will be considered. A strategy with established criteria for the selection of these sites will be developed and brought back to City Council for its information with the next election update report.

d) Voting Options for Electors with Disabilities

In light of the 2000 Ontario Human Rights Code challenge against the City of Ottawa, all Ontario municipalities are being asked to review their election processes in accommodating, whenever possible, the accessibility needs of persons with disabilities to ensure that their dignity is respected.

Currently, the City of Hamilton considers the needs of electors with disabilities in the selection of its voting locations and provides assistance to voters who need assistance at the polls.

Section 41(3) of the Act provides that the Clerk shall make such changes to some or all of the ballots as he or she considers necessary or desirable to allow electors with visual impairments to vote without assistance. To this end, staff have met with Diebold Election Systems, the company that supplies the AccuVote Optical Scanning System which will be used by the City of Hamilton in the 2003 Municipal Election, to explore options for voters with disabilities. One such option is the AccuVote-TS System, a simple, secure and proven touch screen voting system currently sold or leased by Diebold.

Voters using the AccuVote-TS System can cast their ballots simply by touching the large target areas on an electronically generated ballot or by using the voice guidance system that reads the ballot aloud and guides the voter in making ballot selections by listening to spoken prompts utilizing a headset and keypad. This system is gaining popularity in municipalities across the United States and Canada. Advantages of the system include wheelchair accessibility, interaction between the voter and the system without poll worker intervention, ballot magnification to assist visually impaired voters, multi-lingual component (supports up to seven different languages), elimination of over-voting and reduction of under-voting.

On May 7, 2002, City Clerk's staff met with the City's Advisory Committee for Persons with Disabilities to provide an overview of this voting system technology and the changes being considered for the 2003 Municipal Election that would impact voters with disabilities. These considerations include changes to the ballot format, effective voting demonstrations at polls, inclusion of a sensitivity component on recognizing needs and assisting voters with disabilities in Election staff training manuals, and outreach programs to increase voter turnout. The Committee was receptive to the idea of exploring the AccuVote-TS System further and staff is arranging a formal demonstration of this system for this Committee and the Canadian National Institute for the Blind's (CNIB) Client Services Committee over the next few months for the purposes of obtaining their input on whether or not this equipment could augment the City's existing election system.

e) Ballot Layout Options

The majority of complaints received respecting the layout and printing of the 2000 Municipal Election ballot surrounded the colouring and thickness of the voting oval. In 2000, a thin red oval was used. While the size of the oval cannot be increased, the colour and thickness of the voting oval can be changed. For the 2003 Municipal Election ballot, a much bolder or thicker red oval will be used. This option is clearly the best choice in terms of visibility to the voter.

As detailed in Report FCS01034, the system does provide some flexibility in size of text used for the names of the candidates on the ballot. The limiting factor for text size is the number of names printed on the ballot. Therefore the race with the greatest number of candidates will dictate the maximum font size which can be used. Considerable attention will be given to size of font, colour and layout of the 2003 ballot, utilizing the largest font possible.

Discussions have commenced with Purchasing staff in developing tender documents for the printing of the 2003 ballots, which will include strict requirements and mandatory testing phases.

f) Election Signage

Currently, the City of Hamilton does not have a specific Election Signs By-law. Municipal By-laws regulating the erection of signs, which may include reference to election signs, are in place for the old City of Hamilton and the former City of Stoney Creek, Towns of Ancaster, Dundas and Flamborough and Township of Glanbrook.

With amalgamation in 2000, and the municipal election approaching in November 2003, staff have identified the need for one consolidated By-law regulating election signs.

The staff committee charged with the responsibility of overseeing the co-ordination of the World Cycling Championships to be held in Hamilton in June 2003, has identified the need for an established Election Signage By-law to be in place prior to the hosting of this world-class event in our City. On April 24, 2002, it was approved by City Council that the World Cycling Council Liaison Committee work with staff to establish an election signage guideline/policy/by-law with respect to election signs for the 2003 Municipal Election. A meeting of the Liaison Committee and staff is expected to be held in early June.

To prepare for this meeting, City Clerk's staff have collected and reviewed Sign and Election Sign By-laws from other Ontario municipalities. Various options such as restrictions on sign placement and the timing of the erection and removal of election signs will all be brought to the table at this June meeting with a draft By-law being presented to City Council for its consideration and approval later this year.

g) Ward Boundary Changes

During recent budget deliberations, Council requested information relating to the process and timeline should Council wish to review its existing ward boundaries.

The general statutory authority to determine ward boundaries is found in Section 13 of the Municipal Act. Should Council wish to recommend changes to its existing ward boundaries, Council would be required to pass a By-law dividing or redividing the municipality into wards or dissolving the existing wards. Before passing a By-law, Council shall give notice of its intention to pass the By-law and hold at least one public meeting to consider the matter.

The legislation also prescribes that any By-law that is passed after January 1 in the year of a regular election does not come into force until after the next regular election. Therefore, in order for the changes to be considered for the 2003 Municipal Election, the required public meeting would have to have been held and the By-law adopted by City Council on or before December 31, 2002.

Given that the Act also includes a process through which Council-approved boundary changes can be appealed to the Ontario Municipal Board, which can be a long process, staff at the Ministry of Municipal Affairs have suggested that any changes proposed for 2003 would have to commence as soon as possible.

ANALYSIS OF ALTERNATIVES:

Youth Voting Program

Option A

"That the City of Hamilton approach the Learning Partnership, a not-for-profit, volunteer driven, professionally-staffed organization and request that their Our Kids Can Vote™ project be resurrected for 2003 at a cost of up to $50,000 - $60,000."

The Learning Partnership Board of Directors have decided not to run the Our Kids Can Vote™ project in 2003 given that the project ran at a deficit of $50,000 - $60,000 in 2000, but would however, be interested in running the program again for the 2003 Municipal Election if participating municipalities contributed to the costs. While some municipalities have expressed an interest in the project, none have committed to providing funding. Some of the cities that participated in the 2000 project, such as the City of Toronto, have indicated that they will not be taking part in a Youth Voting program in 2003 given that their efforts need to be focused on other areas.

While the total costs will be split by the number of participating municipalities, no municipalities have committed to participating at this point. Should the City of Hamilton commit to this project through the Learning Partnership, costs could be as high as $60,000 should Hamilton be the lone participant. For this reason, Option A is not recommended.

Option B

"That the City of Hamilton participate in a made in Hamilton approach by working with the Hamilton-Wentworth District School Board, the Hamilton-Wentworth Catholic District School Board, Le Conseil scolarie du district de Hamilton-Wentworth and Le Conseil du district catholique de Hamilton-Wentworth in developing its own Hamilton Youth Vote 2003 Project, the details of which are identified in Report FCS02065, at a total cost not to exceed $5,000."

Option B is being recommended as the preferred option by staff. It should be noted however that should the School Boards not wish to participate in this program, the issue will have to be revisited.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Costs for the Hamilton Youth Vote 2003 Program should not exceed $5,000 and would include such items as printing and reproduction of ballots and required signage, ballot boxes, supplies and advertising. The City's portion of the $5,000 operating costs for the program would be funded from the City's Election Reserve Fund.

It is hoped that cost sharing will be an option with each of the participating partners (the City of Hamilton and the four Hamilton School Boards) contributing an equal share to this project.

POLICIES AFFECTING PROPOSAL:

n/a

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

In preparing the Ward Boundary Changes component of this report, the Ministry of Municipal Affairs and the Legal Services and Corporate Counsel Division were consulted with respect to the process and timelines identified.

The Manager of World and Community Events has also been consulted and has confirmed that she will be setting up a meeting with the World Cycling Council Liaison Committee and staff in early June to discuss the issue of election signage.

CITY STRATEGIC COMMITMENT:

The recommendations respecting the implementation of a Youth Voting program are in keeping with the goals of Vision 2020 to enable participation by all citizens and community in government decision and in the development of educational services. The Program's goals include creating increased awareness of the role of local government and the democratic voting process; developing a better-educated electorate; establishing life-long voting habits in the next generation of voters; providing opportunities to some Hamilton students to gain on-site work experience at the polls; and, increasing adult voter turn out at the Municipal Election.

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

10.2

Finance and Corporate Services
Information Technology Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager Finance and Corporate Services
Date:	May 14, 2002	**Prepared by:**	Christine Swenor (905)-546-4562

SUBJECT: **Award of Cellular Services Contract (FCS02068)**

RECOMMENDATION:

That Report FCS02068 be received for information.

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

This report is in accordance with Purchasing Policy #6, Council Approval of Contracts, whereby Council approval for the award of a tender or proposal is not required. Items a) through d) of the policy have been met.

Request for Proposal C6-12-01 was issued for Wireless Communications Services. The RFP elicited bids for three parts:

Part A – Cellular network services
Part B – Paging services
Part C – Phones, Accessories and Additional Services

Based on the evaluation performed by a staff team representing 7 divisions, the following vendors were selected:

Part A – Cellular Network:	**Bell Mobility**
Part B – Paging	**Rogers AT&T**
Part C – Cell Phones and Accessories	**Teletron**

The larger cost components of this contract are the cellular network and cell phones. Over the 3-year term of the new contracts, savings of over $500,000 or 30% are anticipated.
In addition to the savings generated, the new cellular services now provide wider coverage, significantly higher speeds and simplified billing procedures. Rebates on new phones will allow City staff to upgrade to newer phones on the high-speed network at no cost.

BACKGROUND:

A Request for Proposal (RFP C6-12-01) was issued for Wireless Communications Services. The RFP elicited bids in 3 areas:

Part A – Cellular network services
Part B – Paging services
Part C – Phones and Accessories

Vendors were given the opportunity to bid on any or all parts of the RFP.

Vendor responses were evaluated and weighted by a staff review team consisting of representatives from Design and Construction, Forestry, Culture & Recreation, Emergency Services, Police, Purchasing and Information Technology Services. The team performed its evaluation based on the following predetermined criteria:

- Local voice coverage
- Local data coverage
- Wide-area voice coverage
- Wide-area data coverage
- Paging service
- Conversion plans
- Additional services
- Devices
- Overall cost
- Experience of firm

Responses were received from nine vendors who bid on a range of services.

Based on the team's evaluation, the following vendors were selected:

Part A – Cellular Network	**Bell Mobility**
Part B – Paging	**Rogers AT&T**
Part C – Cell Phones and Accessories	**Teletron**

Part A – Cellular Network

This portion of the proposal provides for the cellular network services and coverage required to support the use of cell phones used by the City. This includes cellular airtime plans and cellular coverage. Bell Mobility, Rogers AT&T and Telus provided cellular network services to the City prior to this contract.

Bell Mobility is now the selected vendor for all of the City's cellular services.

Bell Mobility has offered a corporate cellular airtime plan that will reduce the City's expenditures. Based on the City's expenditures in 2001, the total cost for cellular network services over the term of this three-year contract would have been approximately $1.3M. The new contract includes access fee credits and sharing of unused individual minutes. As a result, the total cost for these services over the term of the contract are anticipated to be approximately $1M – a saving of $300,000.

In addition to the savings generated, the new cellular services provide wider coverage, significantly higher speeds and simplified billing procedures.

Part B – Paging
This portion of the proposal provides for the paging services and coverage required by the City. Paging services were previously provided by a number of firms including Bell Mobility, Rogers AT&T, Pasword and other smaller vendors.

Rogers AT&T is now the selected vendor for all of the City's paging services.

As the cost of cellular services falls and as cell phones have become able to receive text messages, the volume of paging services used by the City has been declining. Paging services are expected to be mainly for inexpensive text pagers. Costs for this service over the duration of this contract are expected to be less than $45,000.

Part C – Cell Phones and Accessories
This portion of the proposal provides the cellular phones, wireless cards and accessories to be used by the City on the cellular network. Cell phones were previously supplied by Teletron, National Cellular and many retail outlets such as Future Shop and Staples.

Teletron is now the selected vendor for all of the City's cell phones.

Teletron has provided very aggressive pricing when linked with the cellular network plans. Based on the City's expenditures in 2001, the total cost for cell phones and accessories over the term of this three-year contract would have been approximately $270,000. The new contract includes rebates and credits that will enable most existing cell phone users to replace their phones (and upgrade them to the new high-speed digital network) at no cost to the City. Most new phone purchases will also be at no cost to the City. As a result, with careful management and well-defined standards, the total cost for cell phones and accessories over the term of the contract is anticipated to be approximately $70,000 – a saving of $200,000.

To ensure that these savings are realized, cell phones can be activated on the City's corporate plan only if they are purchased from Teletron.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial
Throughout the term of the contract, costs for these services will be monitored closely to ensure that savings are maximized. This will require monthly reporting of expenditures from PeopleSoft.

Staffing
Monthly monitoring of the cost of these services will require increased staff time, but simplified billing procedures will offset the increased workload.

Legal
Legal Services will be required for contract negotiations with Bell Mobility and Rogers AT&T.

POLICIES AFFECTING PROPOSAL:

No policies are affected by this contract award.

Internal procedures are being developed to ensure that all cellular and paging activations and purchases are properly authorised and take advantage of all possible savings. Interim procedures are already in place.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Staff from a number of divisions were involved in the analysis of the RFP responses to ensure the best possible solution was selected for the City.

CITY STRATEGIC COMMITMENT:

The award of these cellular services contracts supports the City's strategic values:

- Fiscal accountability – this project will provide significant savings while improving service levels.
- Innovation – this contract provides the City with the ability to provide improved services at a significantly lower cost by implementing new cellular agreements and implementing a new high-speed digital cellular network, which will increase the City's ability to improve the efficiency of its mobile workers.
- Teamwork – implementing this technology demonstrates the teamwork among departments within the City and partnerships with the City's suppliers.
- Excellence – the use of a high-speed digital network will enable the City to provide high quality services to the public.

The award of these cellular services contracts will assist in reaching the City's strategic goals:

- A healthy, safe and green city – improving air quality. By providing improved mobile voice and data communications, the City's mobile workers will become more efficient, thereby contributing to reduced pollution.
- A city that spends wisely and invests strategically – best practices, best value. These cellular contracts will provide increased services at a reduced cost – a wise expenditure.
- A city of choice for high performance public servants – business & service excellence. These cellular contracts will provide high quality tools for staff, ensuring that high performance people will come to the City and will remain with the organization.

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

10.3

FINANCE AND CORPORATE SERVICES DEPARTMENT
Budgets & Fiscal Policy

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	May 23, 2002	**Prepared by:**	John Di Battista 4371

SUBJECT: 2001 Reserve Report Summary (City Wide) FCS02069

RECOMMENDATION:

(a) That FCS02069, the 2001 Reserve Report Summary be received.

(b) That a Trunked Radio Communication System - Maintenance reserve be established to be used to minimize the high cost of repair resulting from a major failure of the communication system:

  i) the reserve be financed by transferring, on an annual basis, year end savings from the Radio Communication System repair program;

  ii) the upset limit for this reserve be set at $400,000.

(c) That the reserves as attached hereto in Appendix 3 be combined.

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

The purpose of this report is to present Council with a summary of the City's 2001/02 reserves and reserve funds and to recommend updated and consolidated policies governing the use and limits of these reserves, if applicable. The report also recommends the consolidation of reserves where applicable. The 2002 forecast is based on budgeted transfers to and from the reserves as well as other known requirements and anticipated income and investment activities.

Appendix "1" shows on a consolidated basis, the overall reserve position for 2000, 2001 and also includes a 2002 projection summarized by category.

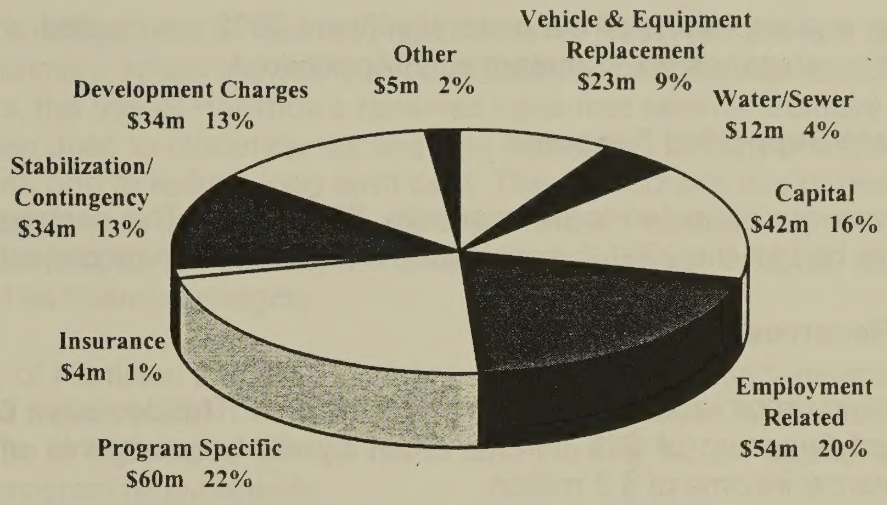
Total Reserve balances at December 31, 2001 amounted to $316.3 million, a $30.2 million reduction below the 2000 balance of $346.4 million. The following table summarizes the activities which resulted in the 2001 decline of reserve balances:

OVERALL RESERVE POSITION - 2001 ACTIVITY			
		($ millions)	
Balance at the beginning of the year - January 1, 2001			346.4
Add:	Interest Earned	12.9	
	Repayments of Internal Debt	10.8	
	Development Charge Collections	13.5	
	Operating Program Surpluses(Net)	7.6	
	OMERS Contribution Holiday Savings	10.5	
	Net Contributions From Current Fund	11.4	66.7
Less:	Financing of 2001 Capital Projects	50.5	
	Finance Capital WIPS-(Part of the $120 million CWIP financing approved in 2001)	30.0	
	Vehicle & Equipment Purchases	16.3	96.8
Balance at the end of the year - December 31, 2001			316.3

Appendix "2" shows the 2001 Reserve balances and the 2002 projected Reserve balances by individual reserve.

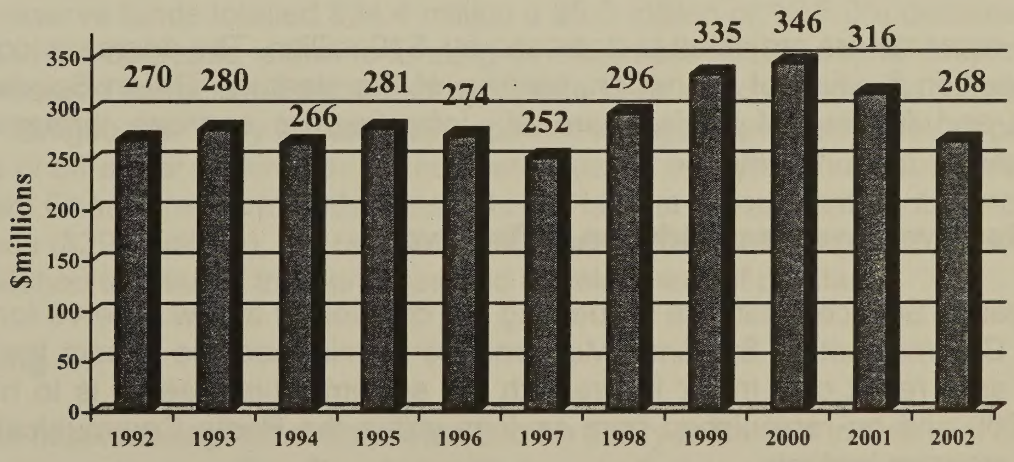
The following pie chart shows the 2002 projected year ending reserve balances by category:

2002 PROJECTED RESERVE BALANCES - BY CATEGORY
$268 MILLION



The following graph shows a 10-year reserve history and 2002 reserve projection for the City of Hamilton.

CITY OF HAMILTON
RESERVE HISTORY



The 2002 reserves forecast is estimated to decrease by $48 million. The decrease is primarily due to the approved 2002 tax capital budget financing of $45 million, the net financing to budget of the 2001 & prior Water/Wastewater capital projects in the amount of $35 million and transition project funding as previously approved by Council for $6 million. The decreases are offset by estimated interest income of $16 million, debt repayments of $12 million and estimated OMERS savings of $10 million.

It should be noted that the level of reserve contributions that were used to finance the City's capital program in 2001 and 2002 can not be sustained in the long run. For example, since 2000, total reserve and reserve fund balances have dropped by $78 million or almost 23%.

The following explains some of the more significant 2002 anticipated changes by major category . The categories are summarized in Appendix 1.

1. Utility Rate Supported Reserves

These reserves are projected to decrease by $35 million. The decrease is mainly due to financing to budget the 2001 & prior Water/Wastewater capital projects.

2. Capital Reserves – Tax Supported

These reserves are projected to decrease by $9 million. The decrease consists of 2002 capital budget financing of $16 million, offset by debt repayments of $5 million and estimated interest income of $ 2 million.

It should be noted that even though total 2002 Capital Financing from reserves totalled $45 million of which only $9 million is coming from the Capital Reserves, the remainder is coming from dedicated reserves such as the vehicle reserves ($16 million) and other non capital reserves such as the tax stabilization reserve ($13 million).

3. Program Specific Reserves

These reserves are projected to decrease by $10 million. The decrease consists mainly of Transition funding of $6 million, funding of the Heritage Green Sports Park for $3 million and funding of City's share of infrastructure services through Subdivision Agreements of $2 million.

New Reserves and Consolidation of Reserves:

Emergency Services staff are requesting the creation of a new reserve for the Trunked Radio Communication System - Maintenance to minimize the impact the high cost of repair as a result of a major failure with the system. This reserve is to have a cap of $400,000 and be replenished from savings within the Radio Communication system's repair program budgets.

Appendix 3 lists reserves which are being recommended for consolidation. These reserves are being recommended for consolidation because they are similar reserves where municipal assets or services have been combined and/or are no longer required for the their original intended purpose.

BACKGROUND:

IMPORTANCE OF RESERVES

Prudent fiscal management of reserves is imperative. Reserves provide flexibility against uncertainties, which inevitably arise in today's changing municipal environment. Over the years, the use of Hamilton's reserves have met several financial objectives. They have been used to moderate tax and rate increases, to fund or expand Hamilton's capital program, and to reduce long term debt The appropriate use of reserves will reduce financial risks to taxpayers in the future. Further, maintaining reserves at adequate levels will provide the City of Hamilton with financial flexibility while forming a cornerstone of its financial integrity.

The 2001 City of Hamilton's reserves, reserve funds and obligatory reserve funds totalled $316.3 million a $30.1 million or a 8.7% decrease over 2000. Most of the decline was due to higher use of reserves to fund the City's 2001 capital budget and other capital program requirements

Non Obligatory Reserves totalled $281.8 million, a $25.2 million or 8.2% decrease over 2000. These reserves and reserve funds are established by Council, to be used for specific purposes in specific programs. Included in these reserves are: stabilization reserves, replacement reserves, sick leave reserves, operating program reserves and capital reserves.

Obligatory reserve funds totalled $34.4 million a $5.0 million or 12.7.0% decrease over 2000. Most of the decrease is due to funding development related capital projects. Obligatory reserve funds are established by statute to be used for specific future liabilities or obligations. They include development charges, revenue in lieu of parkland, cash in lieu of off-street parking, and funds set aside for repayment of debentures. Development Charge reserve funds constitute the largest component of obligatory reserve funds ($29.9 million), the remainder of reserve funds totalling $4.6 million have been established to finance the purchase and development of parkland.

Credit Rating

Responsible fiscal management translates into an ability to borrow in financial markets at attractive interest rates. The City of Hamilton currently has a AA (Stable) long term credit rating and a A-1 (high) short term credit rating, the highest short term rating awarded by Standard and Poors. These ratings are due to the moderate gains in financial strength as both reserves and liquidity rose substantially from 1997 to 2000 and a low and relatively stable debt burden as measured by the ratio of net debt to operating revenues (which stood at about 19% as of December 31st, 2001).

The strength of the rating is offset by an aggressive capital plan that will see debt and debt service levels rise significantly in 2002 and beyond. Staff have noted that in the future our rising debt levels will be a concern to the rating agencies. The negative impact of the aggressive capital plan can be mitigated some what through sound fiscal policies such as the pay-as-you-go principal for capital financing of maintenance infrastructure programs and through a continuous monitoring of liabilities and reserve usage in order to maintain a strong reserve position.

ANALYSIS OF ALTERNATIVES:

This is an information Report dealing primarily with historical information, therefore this section is not applicable.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

None

POLICIES AFFECTING PROPOSAL:

There are no Reserve policy changes being recommended in this report and there is no impact to existing Reserve policies. These policies were approved by Council last year through report FCS01119 - 2000 Reserve Report-Summary.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Information regarding pension and benefit reserve projections have been provided by the Pension section of the Finance & Corporate Services Department and the Benefits section of the Human Resources Department. FCS staff also consulted with staff from Emergency Services regarding recommendation (b).

CITY STRATEGIC COMMITMENT:

Not Applicable

APPENDIX 1 TO REPORT FCS02069

RESERVE BALANCES
BY CATEGORY

	Balance Dec. 31, 2000	Balance Dec. 31, 2001	Projected Balance Dec. 31, 2002
VEHICLE & EQUIPMENT REPLACEMENT RESERVES			
Equipment Replacement	4,549,426.36	5,808,326.29	5,249,240.00
Vehicle Replacement	22,136,302.10	19,106,570.17	17,828,660.00
TOTAL VEHICLE & EQUIPMENT REPLACEMENT RESERVES	26,685,728.46	24,914,896.46	23,077,900.00
UTILITY RATE SUPPORTED RESERVES	37,611,587.81	47,194,386.98	11,806,620.00
CAPITAL RESERVE TAX SUPPORTED	43,085,885.81	51,486,825.39	42,364,310.00
EMPLOYEE PENSION BENEFITS AND ANCILLARY COSTS			
Pension/Retirement Reserves	7,150,752.87	8,956,700.95	6,265,030.00
Benefits/Sick Leave Reserves	25,226,273.14	25,170,856.97	26,020,500.00
Workplace Health & Safety	22,893,292.66	21,185,855.45	22,033,290.00
TOTAL EMPLOYEE PENSION BENEFITS AND ANCILLARY COSTS	55,270,318.67	55,313,413.37	54,318,820.00
INSURANCE RESERVES	4,710,541.50	4,275,367.84	4,446,380.00
STABILIZATION/CONTINGENCY RESERVES	27,128,779.20	29,762,232.11	34,435,250.00
PROGRAM SPECIFIC RESERVES			
Amalgamation/Restructuring Reserves	14,690,944.99	9,674,141.07	3,219,500.00
Working Fund Reserves	54,686,664.88	21,478,081.67	23,053,850.00
Program Operating Reserves	37,656,237.29	34,019,289.94	31,574,550.00
Parks, Recreation & Culture	5,480,823.72	3,726,331.64	1,087,377.00
TOTAL PROGRAM SPECIFIC-OPERATING RESERVES	112,514,670.88	68,897,844.32	58,935,277.00
SUBTOTAL RESERVES	307,007,512.33	281,844,966.47	229,384,557.00
OBLIGATORY RESERVES			
Recreational Land	4,015,342.34	4,563,827.54	4,755,338.00
Development Charge Reserves	35,378,139.21	29,862,275.66	33,935,251.00
TOTAL OBLIGATORY RESERVES	39,393,481.55	34,426,103.20	38,690,589.00
GRAND TOTAL ALL RESERVES	346,400,993.88	316,271,069.67	268,075,146.00

Note: Report FCS01119 - 2000 Reserve Report showed a 2000 Reserve Balance of $355,282,225. During 2001 the Insurance - Committed Reserve in the amount of $8,881,231.12 was reclassified as a Liability, resulting in a 2000 restated Reserve Balance of $346,400,993.88.

2001 RESERVE REPORT

Balances as of December 31, 2001

VEHICLE & EQUIPMENT REPLACEMENT RESERVES

Equipment Replacement

		2001	Projected 2002
100030	Major Repairs - Mobile Equipment	465,581.32	535,540.00
100031	Fire Equip And Protective Gear	910,345.48	165,600.00
110005	Hamilton Beach Rescue Equipment Replacement	64,569.26	67,150.00
110010	Meter Change-Out Reserve	3,472,224.82	3,611,110.00
110015	Equipment & Computer Replacement	878,260.64	837,100.00
110035	Equipment Replacement- T.O.E.	17,344.77	32,740.00
	Sub-Total	**5,808,326.29**	**5,249,240.00**

Vehicle Replacement

		2001	Projected 2002
110020	Vehicle Replacement Police	359,920.44	139,120.00
110021	Vehicle Replacement Fire	(701,059.99)	(250,760.00)
110022	Vehicle Replacement Ambulance	96,660.85	299,500.00
110023	Vehicle Replacement D.A.R.T.S.	0.00	(749,700.00)
110025	Vehicle Replace Central Garage	12,345,387.81	11,035,700.00
110030	Vehicle Replacement Transit	7,005,661.06	7,354,800.00
	Sub-Total	**19,106,570.17**	**17,828,660.00**
	TOTAL VEHICLE & EQUIPMENT REPLACEMENT RESERVES	**24,914,896.46**	**23,077,900[illegible]**

UTILITY RATE SUPPORTED RESERVES

		2001	Projected 2002
108005	Sanitary Sewer Capital Reserve	36,573,282.07	10,025,420.00
108015	Waterworks Capital Reserve	10,621,104.91	1,781,200.00
	TOTAL UTILITY RATE SUPPORTED RESERVES	**47,194,386.98**	**11,806,620.00**

CAPITAL RESERVE TAX SUPPORTED

		2001	Projected 2002
102030	Redhill Creek Valley Development	813,515.91	0.00
108010	Storm Sewer Capital Reserve	9,670,628.92	9,148,110.00
108020	Unallocated Capital Levy	15,021,233.27	9,329,970.00
108021	Parking Capital Reserve	1,113,498.89	1,174,700.00
108025	Transit Capital Reserve	1,360,115.75	3,716,990.00
108026	GO Transit Capital Reserve	200,000.00	208,000.00
108030	Capital Projects Ancaster	2,461,708.83	2,639,310.00
108031	Capital Projects Dundas	196,446.17	194,500.00
108032	Capital Projects Flamborough	2,853,451.98	2,648,000.00
108033	Capital Projects Glanbrook	1,736,587.04	1,633,770.00
108034	Capital Projects Stoney Creek	1,010,343.15	451,730.00
108035	Capital Projects Former Hamilton	13,766,386.72	9,881,270.00
110065	Police Capital Expenses	1,282,908.76	1,337,960.00
	TOTAL CAPITAL RESERVE TAX SUPPORTED	**51,486,825.39**	**42,364,310.00**

2001 RESERVE REPORT

Balances as of December 31, 2001

		2001	Projected 2002
EMPLOYEE PENSION BENEFITS AND ANCILLARY COSTS			
Pension/Retirement Reserves			
102005	Deferred Income Plan Council Members	2,090,963.25	2,024,660.00
112005	Provision Annuity Payment	8,789.95	2,970.00
112050	Retirement Gratuity Reserve-HSR	135,473.76	126,190.00
112065	HWRF Actuarial Deficiency Prov	6,718,389.54	4,108,000.00
112070	Deferred Pension Reserve	3,084.45	3,210.00
	Sub-Total Pension/Retirement Reserves	**8,956,700.95**	**6,265,030.00**
Benefits/Sick Leave Reserves			
112015	Benefit Reserve	14,661,951.23	15,187,670.00
112017	Emergency Medical Services-Severance	49,641.32	51,630.00
112020	Deferred Claims Reserve	1,153,906.39	1,200,060.00
112025	Claims Fluctuation Reserve	1,533,534.16	1,594,880.00
112030	Sick Leave-Police	2,682,950.72	2,790,270.00
112035	Sick Leave	5,088,873.15	5,195,990.00
	Sub-Total Benefits/Sick Leave Reserves	**25,170,856.97**	**26,020,500.00**
[illegible]orkplace Health & Safety			
112040	Workplace Health & Safety	19,424,892.01	20,201,890.00
112045	Workers Comp - HSR	1,760,963.44	1,831,400.00
	Sub-Total Workplace Health & Safety	**21,185,855.45**	**22,033,290.00**
	TOTAL EMPLOYEE PENSION BENEFITS AND ANCILLARY COSTS	**55,313,413.37**	**54,318,820.00**
INSURANCE RESERVES			
112100	Self Insurance	4,275,367.84	4,446,380.00
	TOTAL INSURANCE RESERVES	**4,275,367.84**	**4,446,380.00**
STABILIZATION/CONTINGENCY RESERVES			
104015	Contingency Reserve	9,852,824.40	10,246,940.00
110046	Tax Stabilization	17,392,655.44	20,065,550.00
104055	Tax Stabilization-Police	2,516,752.27	4,122,760.00
	TOTAL STABILIZATION/CONTINGENCY RESERVES	**29,762,232.11**	**34,435,250.00**
PROGRAM OPERATING RESERVES			
Amalgamation/Restructuring Reserves			
112241	Administrative Amalgamation Reserve	302,849.97	314,960.00
112242	Technology Improvement Reserve	1,581,773.92	175,040.00
[illegible]2243	Enterprise Fund Reserve	3,811,873.42	2,341,710.00
[illegible]2250	Restructuring Reserve	3,977,643.76	387,790.00
	Sub-Total Amalgamation/Restructuring Reserves	**9,674,141.07**	**3,219,500.00**

APPENDIX 2 TO REPORT FCS02069

2001 RESERVE REPORT
Balances as of December 31, 2001

		2001	Projected 2002
Working Fund Reserves			
104025	Election Expense	608,736.44	878,090.00
110047	National Child Benefit Reserve	2,581,767.70	4,203,290.00
110070	American Exchange	151,023.69	157,060.00
110080	Debenture Issuance Expense	661,103.24	687,550.00
112230	Permissive Grants-Conventions	38,529.62	40,070.00
112255	Assessment Appeals Reserve	7,633,515.83	7,938,860.00
112265	Systems Development Productivity	1,719,366.03	1,820,480.00
110045	Accommodation Expense	(643,188.60)	(621,750.00)
112300	Portfolio Valuation Reserve	3,069,178.73	3,288,740.00
112400	Working Fund-General	5,521,267.80	4,519,210.00
115290	FLM Legal Reserve	18,320.46	19,050.00
116012	GLA OMB Legal Costs	118,460.73	123,200.00
	Sub-Total Working Funds Reserve	**21,478,081.67**	**23,053,850.00**
Program Specific Reserves			
Library			
106005	Reserve For Mobile Equipment	383,009.45	398,330.00
106006	Library Collections	1,491,121.31	1,550,770[illegible]
106007	Library General Development	638,133.73	596,720.[illegible]
106008	Library Major Capital Projects	707,108.68	735,390.00
106009	Summer Reading Program	61,241.72	73,490.00
106011	Redeployment & Training-Restructuring	412,718.80	429,230.00
	Sub-Total Library	**3,693,333.69**	**3,783,930.00**
Planning, Business & Land Development			
100005	Acquisition of Historic Sites	161,931.36	168,410.00
100010	Land Acquisition - Alpha Enclave	115,874.68	120,510.00
100035	Property Purchases	5,903,690.25	6,138,530.00
100045	Services Thru Unsubdivided Land	4,235,230.27	2,086,580.00
102020	Loan Program	2,014,780.60	2,095,370.00
102045	Emergency Repair Program-HHERP	161,785.96	168,260.00
102046	Hamilton Convert to Rent Program	22,957.66	23,880.00
102048	BIA Improvement Grant Program	1,534,410.49	1,350,790.00
104050	Building Permits Revenue Stabilization Reserve	3,247,489.04	3,377,390.00
110060	Shared Land-Industrial Park	3,897,885.02	4,053,800.00
110075	Subdivision Inspection Fees	901,509.84	741,480.00
112244	Social Housing Transition Reserve	3,489,183.63	3,685,790.00
113017	ANC Senior Achievement Cntr Building Fund	3,108.73	3,230.00
113019	ANC Long Range Plan Res Fund	42,323.27	44,020.00
113025	ANC Town Map Reserve Fund	947.80	980.00
114100	DUN BIA-Major Capital Reserve	43,447.02	45,180.00
115325	FLM Future Studies Reserve	8,446.68	8,780.00
117019	CSR Reserve For B I A's	1,696.05	1,760[illegible]
	Sub-Total Planning & Development	**25,786,698.35**	**24,114,740.[illegible]**

2001 RESERVE REPORT
Balances as of December 31, 2001

		2001	Projected 2002
H.E.C.F.I.			
100025	HECFI - Capital Projects	473,685.92	65,510.00
102025	R V Joyce Cntr For Perform Art	349,715.15	249,720.00
104005	Subsidy Fund	1,324.01	(21,510.00)
104100	Hecfi - Current Fund	318,800.71	331,550.00
	Sub-Total H.E.C.F.I.	**1,143,525.79**	**625,270.00**
Police			
112210	Provision Police Litigation	177,904.74	185,020.00
112220	Police Special Events	77,830.96	80,940.00
112225	Rewards-Police Board	72,148.97	75,030.00
112210	***Sub-Total Police***	**327,884.67**	**340,990.00**
Cemeteries			
104105	Cemetery Bldg Fnd - Niches	52,821.43	54,930.00
	Sub-Total Cemeteries	**52,821.43**	**54,930.00**
.O.E.			
112205	Winter Control Reserve	897,201.45	1,216,420.00
112240	Operating Fund-Fleet Management	(9,559.27)	0.00
112270	Waste Management Recycling Program	797,765.76	75,080.00
112405	Working Funds - HSR	916,818.99	953,490.00
113007	ANC Paving Project Res	7,808.73	8,120.00
113008	ANC Future Sidewalks Proj Res	22,298.76	23,190.00
113022	ANC Garbage Coll Conting Res	29,817.62	11,410.00
115090	FLM Cash in Lieu Sidewalks	117,574.63	122,270.00
117006	SCR Storm Water Quality	50,416.96	52,430.00
117007	SCR Drainage Area 1	125,585.50	130,610.00
117010	SCR Drainage Area 4	59,296.88	61,670.00
	Sub-Total T.O.E.	**3,015,026.01**	**2,654,690.00**
	Sub-Total Program Operating Reserves	**34,019,289.94**	**31,574,550.00**
PARKS, RECREATION & CULTURE			
Former City Hamilton			
102015	Hamilton-Scourge Foundation	20,359.73	21,170.00
104060	Golf Course Improvement	194,907.95	354,700.00
104080	Reserve For Various Museums	114,202.17	118,770.00
	Sub-Total Former City of Hamilton	**329,469.85**	**494,640.00**

2001 RESERVE REPORT
Balances as of December 31, 2001

		2001	Projected 2002
Ancaster			
113004	ANC Trees for Ancaster Res	257.51	268.00
113006	ANC Aquatic Cntre Fundrsng Res	58.42	61.00
113027	ANC Appar Repl Outdoor Rinks	9,028.84	9,390.00
113029	ANC Fieldcote Cap Dev Res Fund	7,012.85	7,293.00
113030	ANC Fieldcote FundrsingRres Fn	852.64	887.00
113031	ANC Fieldcote Heritage Hollow	4,064.78	4,227.00
113033	ANC Fielcote Memorial Reserve	1,682.16	1,749.00
	Sub-Total Ancaster	**22,957.20**	**23,875.00**
Flamborough			
115115	FLM North Wentworth Arena	196.84	205.00
115120	FLM Carlisle Arena	51.66	54.00
115125	FLM Beverly Arena	256.72	267.00
115230	FLM Memorial Sealy Park Halls	50.32	52.00
	Sub-Total Flamborough	**555.54**	**578.00**
Stoney Creek			
117020	SCR Arena Surcharge	27,740.60	28,850.00
117023	SCR Clear 3 Donations	524.57	546.00
117024	SCR Animal Shelter Res Fund	15,137.05	15,743.00
117036	SCR Compensation Royalties (TARO)	(75,272.00)	(78,283.00)
117038	SCR West Mount Sprts Pk	3,403,984.26	600,144.00
117039	SCR Old Town Redevelopment	1,234.57	1,284.00
	Sub-Total Stoney Creek	**3,373,349.05**	**568,284.00**
	Sub-Total Parks, Recreation & Culture	**3,726,331.64**	**1,087,377.00**
TOTAL OPERATING RESERVES		**68,897,844.32**	**58,935,277.00**
SUBTOTAL RESERVES		**281,844,966.47**	**229,384,557.00**

2001 RESERVE REPORT

Balances as of December 31, 2001

OBLIGATORY RESERVES

Recreational Land

		2001	Projected 2002
104090	Acquisition Of Parklands	440,131.44	830,024.00
113012	ANC Neighborhood Parkland Reserve	895,275.10	107,886.00
113013	ANC Parklands Development	81,460.03	92,323.00
114050	DUN Park Dedication	467,461.77	486,159.00
115070	FLM 2% Parkland Dedication	94,951.87	98,749.00
115075	FLM 5% Parkland Dedication	303,259.04	366,566.00
116010	GLA 5% Land Dedication	1,190,415.90	1,238,032.00
117018	SCR Parkland Purchase & Development	1,295,511.67	1,347,331.00
117021	SCR Park Dedication	(204,639.28)	188,268.00
	Sub-total	**4,563,827.54**	**4,755,338.00**

DEVELOPMENT CHARGE RESERVES

FORMER REGION

Active

		2001	Projected 2002
[illegible]10090	Waterworks Residential Dev Chg	3,461,648.13	4,995,900.00
110095	Waterworks Non-Resid Dev Charg	532,976.78	879,320.00
110100	San Sewer Residential Dev Char	1,122,809.59	1,067,260.00
110105	San Sewer Non-Resid Dev Charge	156,702.95	209,820.00
110110	Storm Sewer Residential Dev Ch	(1,069,675.21)	(978,460.00)
110115	Storm Sewer Non-Resid Dev Char	279,348.21	144,300.00
110120	Roads & Freeway Residential De	303,553.56	1,389,640.00
110125	Roads & Freeway Non Res Dev Ch	(1,272,516.14)	(3,046,300.00)
110135	Police Residential Dev Charges	723,341.73	839,860.00
110140	Police Non-Residential Dev Cha	(410,666.69)	(373,890.00)
110155	Transit Residential Dev Charge	1,095,501.42	1,500,020.00
110160	Growth Management Residential	210,077.61	65,590.00
110165	Growth Management Non-Res Dev	47,954.48	59,260.00
110190	Libraries Res Dev Charges	404,539.63	552,780.00
110195	Libraries Non-Res Dev Charges	14,104.39	14,420.00
110205	Transit Non-Residential Dev Ch	212,799.55	266,160.00
110210	DunWat WW Flw Diver Proj-Res	429,968.46	0.00
110216	Binbrook Agreement Recoveries	69,911.43	0.00
	Sub-total	**6,312,379.88**	**7,585,680.00**

Inactive

		2001	Projected 2002
110130	Health Services Residential De	691,159.34	518,740.00
110145	Fleet Services Residential Dev	212,909.62	0.00
110150	Fleet Services Non-Res Dev Ch	34,255.70	0.00
110170	Admin Bldg Res Dev Charges	403,686.54	363,690.00
110175	Admin Bldg Non-Resid Dev Charg	56,208.20	0.00
[illegible]10180	Solid Waste Management Res Dev	728,392.93	753,390.00
110185	Solid Waste Management Non-Res	167,366.40	247,170.00
110200	Health Services Non-Res Dev Ch	166,834.30	0.00
	Sub-total	**2,460,813.03**	**1,882,990.00**
	Total Former Region	**8,773,192.91**	**9,468,670.00**

2001 RESERVE REPORT
Balances as of December 31, 2001

		2001	Projected 2002
FORMER CITY OF HAMILTON			
Active			
102050	HAM Indoor Rec Dev Charges	2,265,567.37	2,695,260.00
102051	HAM Outdoor Rec Dev Charges	625,444.18	766,390.00
102052	HAM Library Dev Charges	2,046,301.82	2,357,340.00
102053	HAM Rolling Stock Dev Charges	331,554.96	399,850.00
102054	HAM Traffic Signal Dev Charges	(22,724.47)	(1,960.00)
102055	HAM Growth Mgt Dev Charges	(170,806.12)	220,760.00
102056	HAM Fire Dev Charges	533,029.70	528,770.00
102057	HAM Roads Dev Charges	995,566.15	44,936.00
	Sub-total	**6,603,933.59**	**7,011,346.00**
Inactive			
102058	HAM Park Acq Dev Charges	555,020.89	575,020.00
102059	HAM Storm Water Dev Charges	(63.821.87)	(65,821.00)
	Sub-total	**491,199.02**	**509,199.00**
Total Former City of Hamilton		**7,095,132.61**	**7,520,545**
STONEY CREEK			
Active			
117026	SCR Cap Levies-Trans Serv	1,108,945.54	1,760,930.00
117028	SCR Cap Levies-Fire Stations	234,544.56	278,460.00
117029	SCR Cap Levies-Recreation Fac	1,291,549.55	1,514,530.00
117030	SCR Cap Levies-Park Acq Dev	368,867.52	467,117.00
117031	SCR Cap Levies-Admin Fac	233,377.34	354,465.00
117032	SCR Cap,Levies-Libraries	8,934.00	30,440.00
	Sub-total	**3,246,218.51**	**4,405,942.00**
ANCASTER			
Active			
113040	ANC Fire Dev Charges	555,621.21	729,620.00
113041	ANC Roads Dev Charges	(469,096.72)	(726,650.00)
113042	ANC Parks Dev Charges	1,188,866.54	985,140.00
113043	ANC Library Dev Charges	267,944.41	338,405.00
113044	ANC Admin Dev Charges	123,257.11	109,930.00
113045	ANC Storm Water Dev Charges	190,809.28	254,980.00
113046	ANC Recreation Dev Charges	111,382.48	550,560.00
113047	ANC Public Works Dev Charges	258,481.87	324,010.00
	Sub-total	**2,227,266.18**	**2,565,995**

2001 RESERVE REPORT
Balances as of December 31, 2001

		2001	Projected 2002
FLAMBOROUGH			
Active			
115340	FLM Government Dev Chrgs	424,870.05	396,240.00
115341	FLM Library Dev Charges	385,553.38	417,850.00
115342	FLM Fire Dev Charges	622,473.31	772,670.00
115343	FLM Indoor Rec Dev Charges	1,128,233.77	1,359,810.00
115344	FLM Parks Dev Charges	676,524.85	862,425.00
115345	FLM Public Works Dev Charges	680,474.60	754,340.00
115346	FLM Engineered Serv Dev Charge	2,404,978.76	2,496,210.00
	Sub-total	**6,323,108.72**	**7,059,545.00**
DUNDAS			
Active			
114001	DUN Admin 99 Dev Chrgs	71,158.97	75,670.00
114002	DUN Fire Protect 99 Dev Chrgs	41,610.51	50,290.00
114003	DUN Parks Dev Chrgs	(8,171.74)	11,680.00
114004	DUN Library Serv 99 Dev Chrgs	95,572.49	108,390.00
114005	DUN Transport Serv 99 Dev Chg	249,511.81	302,330.00
114012	DUN Indoor Rec Dev Chrgs	(100,743.12)	(65,570.00)
	Sub-total	**348,938.92**	**482,790.00**
GLANBROOK			
Active			
116028	GLA Industrial Park Dev Charge	165,675.04	164,930.00
116029	GLA Indoor Rec Dev Charges	468,940.26	557,100.00
116032	GLA Park Dev Charges	27,989.20	138,620.00
116034	GLA Library Dev Charges	43,688.29	52,180.00
116035	GLA Fire Dev Charges	472,809.97	603,500.00
116037	GLA Public Works Dev Charges	312,243.03	482,070.00
116038	GLA Government Dev Chrgs	64,695.98	77,310.00
116039	GLA Cemetery Dev Charges	79,505.28	105,015.00
116040	GLA Mt Hope Dev Charges	25,760.45	30,020.00
	Sub-total	**1,661,307.50**	**2,210,745.00**
Inactive			
116030	GLA Pks Outdoor Fac Dev Charge	53,407.49	55,400.00
116031	GLA Pks Outdoor Bldg Dev Chrgs	7,489.93	7,700.00
116033	GLA Pks Mach Equip Dev Charges	23,680.62	50,919.00
116036	GLA Roads Dev Charges	102,532.27	107,000.00
	Sub-total	**187,110.31**	**221,019.00**
Total Glanbrook		**1,848,417.81**	**2,431,764.00**
TOTAL DEVELOPMENT CHARGES		**29,862,275.66**	**33,935,251.00**
TOTAL OBLIGATORY RESERVES		**34,426,103.20**	**38,690,589.00**
GRAND TOTAL ALL RESERVES		**316,271,069.67**	**268,075,146.00**

2001 RESERVES
RECOMMENDED TO BE COMBINED

		Balance Dec 31,2001 $
Deferred Income Plan		
102005	Deferred Income Plan - Former City of Hamilton	1,029,975.25
112010	Deferred Income Plan - Former Region	1,060,988.00
	New Balance	2,090,963.25
Pensions		
112065	HWRF Uncommitted Pension Deficiency	2,942,165.70
112060	HWRF Actuarial Deficiency Provision	3,776,223.84
112070	Deferred Pension Reserve	3,084.45
	New Balance	6,721,473.99
Vehicle/Equipment Replacement		
100035	Equipment Replacement-Environment	3,223.84
110040	Equipment Replacement-Roads	14,120.93
		17,344.77
113018	Fire Prevention Education Reserve	33,793.25
110021	Vehicle Replacement - Fire	(734,853.24)
		(701,059.99)
Working Funds		
112400	Working Funds-General	5,521,267.80
110045	Accommodation Reserve	(643,188.60)
		4,878,079.20
Productivity Reserves		
112243	Enterprise Fund	3,811,873.42
112265	System Development Productivity	1,719,366.03
		5,531,239.45
Former Municipal Reserves		
Flamborough		
115290	FLM Legal Reserve	18,320.46
108032	Capital Projects - Flamborough	2,853,451.98
		2,871,772.44
Glanbrook		
116012	GLA OMB Legal Costs	118,460.73
108033	Capital Projects - Glanbrook	1,736,587.04
		1,855,047.77

APPENDIX 3 TO REPORT FCS02069

2001 RESERVES
RECOMMENDED TO BE COMBINED

		Balance Dec 31,2001 $
Recreational Land		
Ancaster		
113012	Neighbourhood Parkland Reserve	895,275.10
113013	Parkland Development	81,460.03
		976,735.13
Flamborough		
115070	2% Parkland Dedication	94,951.87
115075	5% Parkland Dedication	303,259.04
		398,210.91
Stoney Creek		
117018	Parkland Purchase & Development	1,295,511.67
117021	Parkland Dedication	(204,639.28)
		1,090,872.39

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

10.4

FINANCE AND CORPORATE SERVICES
Corporate Management Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager
Date:	June 4, 2002	**Prepared by:**	Tony Tollis 546-4549

SUBJECT: Computer Leases- MFP Ltd. (City Wide) (FCS02072)

RECOMMENDATION:

(a) That the General Manager, Finance and Corporate Services be authorized to purchase required computer equipment (as tendered) as necessary and that these be funded first from the Computer Equipment and Replacement Reserve and secondly from the Working Funds Reserve.

(b) That the reserves be repaid through internal lease payments to be paid from existing operating budgets established for this purpose.

(c) That the General Manager, Finance and Corporate Services conduct a cost benefit assessment of Internal vs. External Leasing options and report back to council by year end.

Roberto Rossini for

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

EXECUTIVE SUMMARY:

On June 14, 2001, the tender for the desktop computer equipment supply and leasing was awarded to Telecom Computers and MFP Ltd. respectively. As a result of litigation instigated by the City with respect to the leases for its Trunked Radio System, MFP has discontinued its leasing contract in this regard. Normally the equipment would be delivered to the City, MFP would pay the supplier (Telecom) and the City would pay MFP through a monthly lease payment over three years, at which time the equipment would be turned over to MFP. Telecom has not received payment for computer equipment delivered to the City for the months of March, April and May.

In order to maintain day to day operations, the City must pay for the acquisition of desktop PC's, laptops, servers and other computer equipment up front and finance the purchases internally. In the interim, staff is recommending that this be financed from the Computer Equipment and Replacement and Working Funds Reserves and paid back over three years through various operating Budgets created for this purpose.

In December of this year a new tender will be issued for the supply and leasing of computer equipment. Before then staff will be assessing the costs of external vs. internal leasing and will report back to council on a preferred course of action. Until then staff will purchase the equipment and lease it back to the appropriate operating departments using an internal rate of return over 3 years.

BACKGROUND:

In report FSC01054 dated June 14th 2001, Council awarded the purchase of City computer equipment to Telecom Computer. This contract was awarded for the purchase of PC's, printers, and other desktop hardware. At this time, Council also approved a contract for the leasing and consequent disposal of all this equipment to MFP LTD. It has come to staff's attention recently that, as a result of the commencement of litigation, MFP has stopped providing this service to the City. As a result the supplier (Telecom Computer) has not received payment for various computer equipment purchased by the City. If the City does not provide payment for these computers immediately, Telecom has indicated they will stop delivery of any future computers and equipment.

ANALYSIS OF ALTERNATIVES:

Council has two alternatives with respect to the leasing of this equipment. The first is to issue a new tender to seek another leasing company. The second is to finance the purchases internally.

The current contract for the supply of computer equipment expires in February of 2003. Normally staff issues the tender for the supply and leasing at the same time. As staff is currently reviewing options for future leasing of computer equipment, we are recommending that the City finance these purchases internally until the review is complete.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: The cost associated with the leasing of computer equipment is built in to the various operating budgets. The result of internal leasing will not materially affect these budgets. The overall impact of leasing internally is dependent on the disposal value of the equipment after the lease expires. Staff is currently investigating the disposal options and will include its findings in the report that will be forthcoming. Since the City is purchasing the equipment it will have the option to sell it or retain it for a longer period of time at no additional cost. Additional costs (if any) resulting from the internal financing can be mitigated through the extension of these leases.

The estimated costs for the purchase of this equipment for the next 6 months is approximately $1.2M. The Computer Equipment and Replacement Reserve has a current balance of approximately $640K, while the Working Funds Reserve has approximately $4.2M Both, if used on a revolving fund basis are expected to be adequate to meet both short and long term computer acquisition needs.

Legal: There are no legal restrictions against the City purchasing the computer equipment it requires in connection with its operations, as opposed to leasing it. From a legal perspective, the owner of equipment is in a stronger position than a mere lessee.

The action taken by MFP was a fairly predictable response flowing from the commencement of the action against it. The City claims to be owed millions in that action, and disputes its liability to pay amounts claimed to be owing by MFP under the leases. In such circumstances, it would have been highly sporting of MFP to continue to provide financial accommodation to the City under the balance of its lease program. While the discontinuance of lease financing by MFP is inconvenient, it eliminates the anomaly of the City continuing to deal with a company, even though it is alleging in a civil proceeding that there have been significant irregularities in its past dealings with that company.

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Information Technology: Peter MacNeil, Christine Swenor
Finance: Rob Rossini
Legal Services: Kevin McGuinness

CITY STRATEGIC COMMITMENT:

By reviewing our options with respect to financing of computer purchases the City is maintaining the goal of “a City that spends wisely” and a commitment to “efficient City Government”.

SECTION 11

CITY WIDE IMPLICATIONS

11.1

CITY OF HAMILTON

Human Resources Department
Administration

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Catherine Graham, General Manager
Date:	May 14, 2002	**Prepared by:**	Catherine Graham X 2631

SUBJECT: **Performance Management and Payment of Performance Incentives for Senior Staff- 2001 (HUR02007) (City Wide)**

RECOMMENDATION:

That the information as set out in report HUR02007 be received for information.

CGraham

Catherine Graham, General Manager
Human Resources

EXECUTIVE SUMMARY:

This report describes the results of the Performance Management process for senior staff for 2001, and the associated payment of incentive compensation to such staff.

BACKGROUND:

On June 26, 2001, Council approved an approach to compensation for the non-union group that reflects the principles of market competitiveness and internal equity, with base compensation maintained at the 50th to 65th percentile of a comparator group of municipalities, and an additional element of “pay at risk” based on achievement of individual and team outcomes. The incentive that is available amounts to up to ten percent (10%) of base salary split equally between individual and team achievement.

Council approved a further report on January 23, 2002, that described an interim approach to performance management for senior City staff (i.e. the City Manager, General Managers, Executive Directors and Directors), given the unique nature of 2001 as the first year post-amalgamation. A sample of the evaluation conducted for 2001 is appended as Appendix A.

Subsequent reports to Council will seek approval to extend the incentive program to the balance of the non-union group, and will describe the approach to performance management for 2002 and beyond.

ANALYSIS OF ALTERNATIVES:

N/A

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

A total of 49 staff participated in the Performance Management and Performance Incentive program in 2001. Those included both permanent and acting staff in the positions of City Manager, General Manager, Executive Director and Director. Where staff occupied positions for less than the full year, their earned incentives were pro-rated accordingly. Included in this total are 4 performance assessments that have not yet been completed.

Incentive payments totalling $ 217,122.43 have been paid out. The average performance incentive payment was $ 4,824.94. The distribution of results, based on achievement of individual and team outcomes, is shown in the attached chart (Appendix B).

POLICIES AFFECTING PROPOSAL:

The Performance Management process complies with associated human resources policy, and is provided for in terms and conditions of employment for participating employees.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

All departments, and all staff affected by the Performance Management/Performance Incentive process for 2001 were consulted in the development of the interim approach. Similarly, all departments and representative groups of staff are being consulted in the development of the approach for 2002 and beyond.

The Corporate Management Team (CMT) reviewed the results for all directors, and the (Acting) City Manager reviewed all of the rating documents to ensure interdepartmental consistency and sufficient rigour in the assessment of achievements and the awarding of incentives. The Acting City Manager's assessment was conducted by the Council Sub-Committee on Non-Union Compensation, in consultation with all Members of Council.

CITY STRATEGIC COMMITMENT:

Managing employee performance against outcomes and differentiating compensation based on contribution are practices consistent with the City's goal to become a "city of choice for high performance public servants".

APPENDIX 'A'

City of Hamilton
Interim Performance Incentive Program 2001

Directors, Executive Directors and General Managers Assessment Form

Part I Introduction to the Performance Incentive Program

This assessment document captures information necessary to establish the performance incentive earned by Directors, Executive Directors and General Managers for 2001. The achievement of individual performance targets and the demonstration of both team behaviours and corporate values are recorded here.

Up to 5% of the December 31, 2001 base salary can be earned for the achievement of individual performance targets and up to 5% of base salary can be earned for the demonstration of team behaviours. The total incentive earned will be modified by the degree to which the corporate values were demonstrated. The performance incentive earned is not added to base salary. It is pensionable under the OMERS provisions. Employees not on staff at January 1, 2001 will have their total incentive payment pro-rated to reflect their length of employment in that year.

Part II Individual Performance Assessment

Up to 5% of the December 31, 2001 base salary can be earned for achievements in five performance targets associated with the creation of the new City of Hamilton. The five individual performance targets are:

1. Established an organizational infrastructure to support the operation of the new City
2. Managed human resources
3. Executed service delivery during the amalgamation period
4. Undertook policy, program and service planning to complete the transition to a new City
5. Constructed, consolidated, recommended and managed transition, capital, operating budgets

Employees must achieve 60% of the sub-elements in each performance target, to receive credit for achieving that target. Each employee is assessed individually. Evidence regarding achievements in the five performance target areas is collected on pages 4 through 9 of this form. The total individual performance incentive earned is summarized on page 10. This value is also entered on page 15 of this form where the total performance incentive is calculated.

Part III Team Performance Assessment

Up to 5% of the December 31, 2001 base salary may be earned for the demonstration of team behaviours 100% of the time. The 10 team behaviours are:

1. technical, professional or organizational knowledge and insights are shared to assist in decision making and problem solving

2. ideas, solutions, approaches and/or alternatives are offered freely and constructively to others in the DMT
3. resources are shared within the group to support action plans and timelines of others
4. the interests of the organization, the department and the division are balanced in all decision making
5. workplans are integrated across the divisions to optimize the use of resources
6. consensus is achieved through effective listening, flexibility and good humour
7. individuals use their particular team skills to enhance the performance of the group as a whole
8. the DMT speaks with one voice
9. no incidents of individual members of DMT seeking special consideration once a decision has been made by the team
10. consideration for the time of other team members

Each team behaviour demonstrated earns .5 points. All members of the team will receive the same assessment. Evidence regarding the demonstration of team behaviours is summarized on pages 11 and 12 of this form. The total team performance incentive earned is documented on page 12. This value is also entered on page 15 of this form where the total performance incentive is calculated.

Part IV Values Modifier

The sum of the individual performance incentive and the team performance incentive is modified by the demonstration of corporate values. The 10 corporate values are:

1. learning
2. integrity
3. innovation
4. teamwork
5. competency
6. commitment
7. optimism
8. communication
9. diversity
10. health & safety

Each corporate value demonstrated earns .1 points. Each employee is assessed individually. Evidence regarding the demonstration of corporate values is summarized on pages 13 and 14 of this form. The values modifier is summarized on page 14. This value is also entered on page 15 of the form, where the total performance incentive is calculated.

Part V Performance Incentive Calculation Sheet

The total performance incentive earned is calculated on page 15. The individual performance incentive achieved is added to the team performance incentive achieved. This sum is then multiplied by the values modifier, which yields the actual performance incentive awarded.

APPENDIX ‘A’

Both the employee being assessed and the supervisor sign and date the document. Space is provided for comments by either party. Once completed the form, including all the documented evidence, is to be returned to:

Cheryl Lafferty
Compensation Assistant
Human Resources

Corporate Management Team will review all the performance incentive assessments for the Directors prior to the finalization of performance incentive payments for that group.

Questions can be directed to:

Elizabeth Bourns
Director, Organizational Development
and Client Services
ext 2630

Lesli Croft
Training and Development
Coordinator
ext 2642

APPENDIX ‘A’

PART II – Individual Performance Assessment

- Individual achievement of each performance target is the total percentage of sub-elements achieved in that target.
- **Must achieve at least 60%** of the sub-elements for that element to be included in the calculation of the individual performance incentive.

Performance Target #1: Established an organizational infrastructure to support the operation of the new City by:

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
• Designing an organizational structure that supports service delivery in a focused and cost effective manner		
• Inventorying and re-deploying corporate assets to support cost effective service delivery		
• Providing functional accommodation for staff, programs and services		
• Providing tools and equipment to staff to support service delivery		
• Authoring administrative policies to ensure effective use of resources		

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
Achieved fewer than 3 sub-elements, enter 0 **Achieved 3 sub-elements, enter .6** **Achieved 4 sub-elements, enter .8** **Achieved 5 sub-elements, enter 1.0**		

Performance Target #2: **Managed human resources by:**

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
• Developing jobs and associated job descriptions that incorporate the competencies to ensure that staff are equipped to met the demands of their jobs		
• Recruiting and selecting candidates with appropriate competencies to build organizational capacity		
• Implementing strategies to keep employees informed and provide venues for input and feedback		
• Providing opportunities and/or venues for input and feedback from staff, both in groups and individually		

• Assisting employees in dealing with change		
Achieved fewer than 3 sub-elements, enter 0 Achieved 3 sub-elements, enter .6 Achieved 4 sub-elements, enter .8 Achieved 5 sub-elements, enter 1.0		

APPENDIX ‘A’

Performance Target #3: Executed service delivery during the amalgamation period by:

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
• Inventorying the various program and service levels across the new City		
• Creating cross functional teams and internal and external consultative processes to review program and service delivery		
• Researching best practices to inform program and service delivery		
• Developing/supporting/maintaining programs and services to ensure cost effective delivery		
• Setting program and service delivery priorities		
• Assessing and allocating the human and financial resources to maintain/improve service across the new City		

APPENDIX ‘A’

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
• Designing and implementing new and/or enhanced services (e.g. customer contact center, municipal service centers, etc.)		
• Interacting with clients/stakeholders in an appropriate manner		
• Maintaining a safe work environment		
Achieved fewer than 6 sub-elements, enter 0 **Achieved 6 sub-elements, enter .67** **Achieved 7 sub-elements, enter .78** **Achieved 8 sub-elements, enter .89** **Achieved 9 sub-elements, enter 1.0**		

APPENDIX ‘A’

Performance Target #4: Undertook policy, program and service planning to complete the transition to a new City by:

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
- Identifying policy, program and service mandate		
- Performing a gap analysis with respect to the policy, program and services achieved/outstanding		
- Developing action plans and timelines to eliminate gaps		
- Assessing, acquiring and allocating resources to fulfill action plans and timelines		
- Constructing mechanisms to evaluate program and service delivery		
Achieved fewer than 3 sub-elements, enter 0 **Achieved 3 sub-elements, enter .6** **Achieved 4 sub-elements, enter .8** **Achieved 5 sub-elements, enter 1.0**		

APPENDIX ‘A’

Performance Target #5: Constructed, consolidated, recommended and managed transition, capital, operating budgets by:

Sub-Element	Evidence of Achievement	Achieved = 1 pt Not Achieved = 0 pt
• Consolidating existing program and service delivery costs		
• Finding cost savings in program and service modifications		
• Costing for transitional and/or new programs and services		
• Identifying revenue sources		
• Managing variances in budgets		
Achieved fewer than 3 sub-elements, enter 0 **Achieved 3 sub-elements, enter .6** **Achieved 4 sub-elements, enter .8** **Achieved 5 sub-elements, enter 1.0**		

APPENDIX ‘A’

Individual Performance Incentive Summary

Target	Points Earned
1. Established an organizational infrastructure to support the operation of the new City	
2. Managed human resources	
3. Executed service delivery during the amalgamation period	
4. Undertook policy, program and service planning to complete the transition to a new City	
5. Constructed, consolidated, recommended and managed transition, capital, operating budgets	
Total points ***Enter this amount on page 15**	

APPENDIX ‘A’

PART III – Team Performance Assessment

- Effective team behaviour must be demonstrated by the group.
- Each yes is equal to .5 points - each no is equal to 0.
- Each member of the team receives the same assessment.

Behaviour	Evidence	Demonstrated Yes/No	Yes = .5 pt No = 0 pt
1. Technical, professional or organizational knowledge and insights are shared to assist in decision making and problem solving			
2. Ideas, solutions approaches and/or alternatives are offered freely and constructively to others in the DMT			
3. Resources are shared within the group to support action plans and timelines of others			
4. The interests of the organization, the department and the division are balanced in all decision making			
5. Workplans are integrated across the divisions to optimize the use of resources			

APPENDIX ‘A’

Behaviour	Evidence	Demonstrated Yes/No	Yes = .5 pt No = 0 pt
6. Uses effective listening, flexibility and good humour to contribute to consensus building			
7. Uses own team skills to enhance the performance of the group as a whole			
8. Does not seek special consideration once a decision has been made by the team (DMT speaks with one voice)			
9. DMT is able to achieve consensus on all decision in a timely manner			
10. Considers the time of other team members			
Total team performance percentage achieved **Also enter this amount on page 15**			

APPENDIX ‘A’

PART IV – Values Modifier

- A value that is demonstrated **100%** of the time scores .1 points, anything less than 100% scores 0.
- Total number of points = percentage of total incentive earned.
- Each employee receives an individual assessment.

Value	Evidence	Demonstrated Yes/No	Yes = .1 pt No = 0 pt
1. Learning			
2. Integrity			
3. Innovation			
4. Teamwork			
5. Competency			
6. Commitment			

APPENDIX ‘A’

Value	Evidence	Demonstrated Yes/No	Yes = .1 pt No = 0 pt
7. Optimism			
8. Communication			
9. Diversity			
10. Health and Safety			
		Values modifier (total points) **Also enter this amount on page 15**	

PART V PERFORMANCE INCENTIVE CALCULATION SHEET

	% Achieved
Individual incentive achieved (from page 10) (maximum 5 points)	+ %
Team incentive achieved (from page 12) (maximum 5 points)	+ %
TOTAL	= %
Values Modifier (from page 14) (maximum 1 point)	X
TOTAL INCENTIVE EARNED	= %

DATE ______________________________

Employee Name ______________________________

Employee # ______________________________

Employee Comments:

Employee Signature______________________________

Date ______________________________

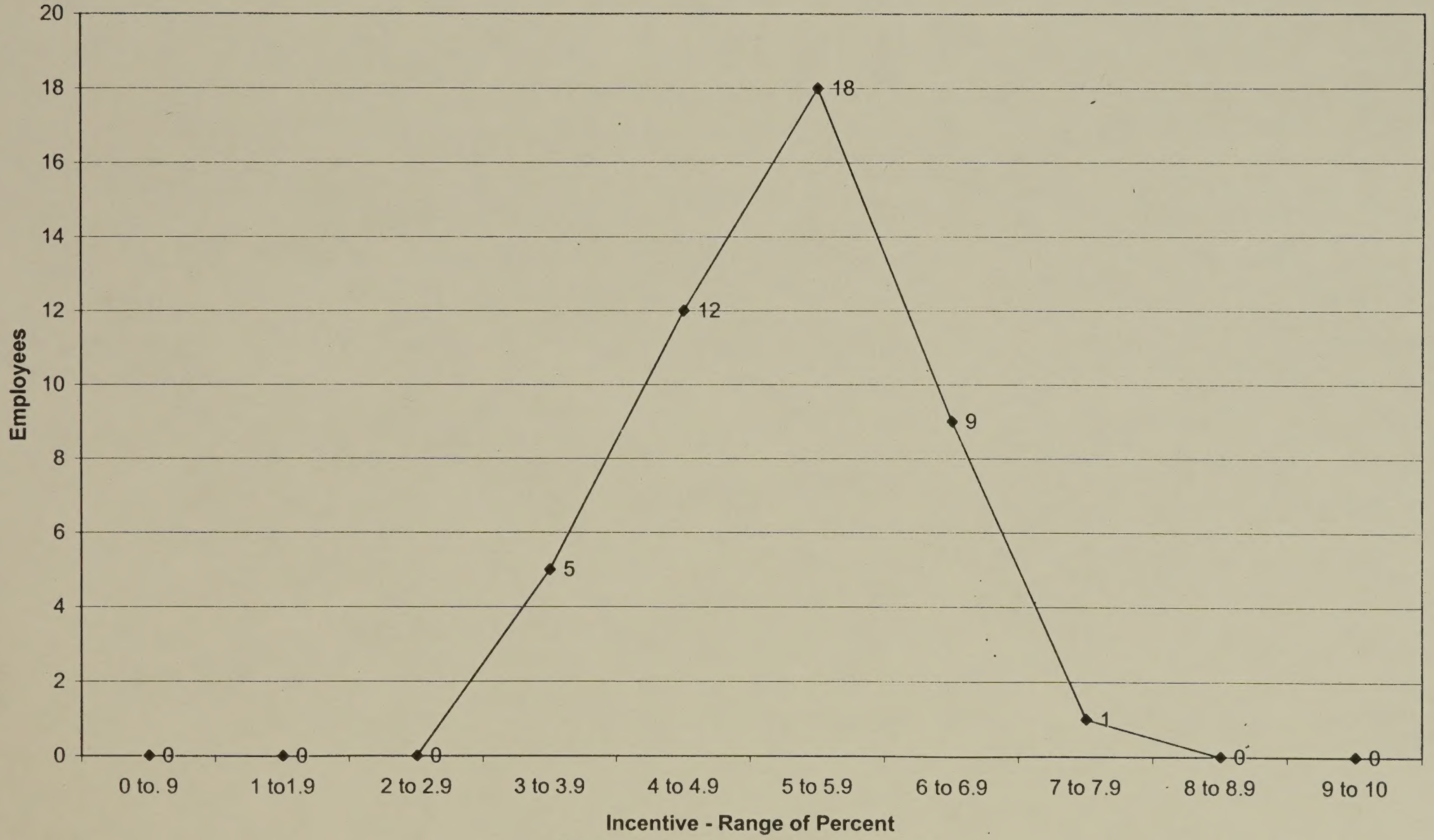
General Manager Name ______________________________

General Manager Comments:

General Manager Signature ______________________________

Date ______________________________

Performance Incentive Program Results - Senior Staff 2001



Total = 45 Employees reported to date

SECTION 12

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

12.1

PLANNING AND DEVELOPMENT DEPARTMENT
Housing Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date:	May 31, 2002	**Prepared by:**	Keith Extance (905) 546-3745
File:	RS Program Admin.		Marla Adams (905) 523-8496 Ext. 7317

SUBJECT: The Provincial Rent Supplement Program (PD02096)

RECOMMENDATION:

(a) That the Mayor, on behalf of Hamilton City Council, send a letter to the Provincial Minister of Municipal Affairs and Housing highlighting the importance of maintaining a permanent funding commitment beyond March 31, 2005 for the additional Rent Supplement Program units recently allocated.

(b) That staff of the Housing Division actively promote the Rent Supplement Program to private sector and not-for-profit landlords to maximize affordable housing opportunities for Hamilton residents.

(c) That Report PD02096 respecting "The Provincial Rent Supplement Program" be received.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

Responsibility for delivery and administration of the Provincial Rent Supplement Program was transferred to the City of Hamilton through the Social Housing Reform Act (SHRA). The Rent Supplement Program provides a subsidy to landlords to bridge the gap between the respective market rent for the unit and the amount the tenant pays according to a rent-geared-to-income scale. In essence a "shelter allowance", this form of assistance is a relatively cost-effective way of making housing affordable.

The Provincial Government has recently announced that changes will be made in the tenant and landlord eligibility for the Rent Supplement Program. This is in the context of the "Homelessness Initiative" where the Provincial Government has increased the number of new units that can be delivered under the Rent Supplement Program. It is also anticipated that an additional number of Rent Supplement Program units will be made available by the Provincial Government for take up in the coming months.

These actions will greatly enhance the take up of this program in Hamilton and provide much-needed affordable housing to many households. However, the Provincial Government has not committed to permanently funding these new units under the Rent Supplement Program beyond March 31, 2005.

As the need for affordable housing continues to grow in our community, this financial uncertainty is problematic. Accordingly, the Provincial Minister of Municipal Affairs and Housing should be requested to provide permanent funding to these new Rent Supplement units beyond March 31, 2005.

BACKGROUND:

The Rent Supplement Program offers eligible applicants rent-geared-to-income accommodation in non-profit and privately owned buildings. A "rent supplement" is a subsidy provided to landlords to bridge the gap between the market rent for the unit and the amount the tenant can pay based on their income. For example, if the market rent on a unit is $700 per month and the tenant's rent according to their income is $210, the Rent Supplement portion paid to the landlord on a monthly basis would be $490.

The enactment of the Social Housing Reform Act (SHRA) in December 2000 brought with it some far reaching impacts on municipal government. As Committee is aware, one of the most significant changes of the SHRA was the transfer of 5,130 housing units to City ownership. In addition, the City is now the funder and administrator for over 14,200 social housing units. Another significant component was the transfer of responsibility for the delivery and administration of the Rent Supplement Program to the City of Hamilton.

The Various Rent Supplement Programs

Since 1974 the Ontario Housing Corporation (OHC) and the Ministry of Municipal Affairs and Housing (MMAH) were involved in the delivery and administration of Social Housing Programs which included the Rent Supplement Program. The Rent Supplement Program was administered and managed locally by staff of the former Hamilton-Wentworth Housing Authority.

A variety of Rent Supplement Programs have been implemented over the years in Hamilton. These include "Community Integrated", "Assisted Rental", "Canada Rental Supply Plan", "Limited Dividend", "Canada-Ontario Rental Supply Plan" and "Rent Supplement Regular". All of these programs are known as "Commercial Rent Supplement" and are administered and funded for the most part by the City of Hamilton.

The Commercial Rent Supplement Program includes various "Rent Supplement Agreements" with landlords that each may be slightly different depending on the original program-funding source. For example, some Agreements still retain a portion of Federal Government funding through Canada Mortgage and Housing Corporation. There are 91 units available in the Commercial Rent Supplement Program. As tenants leave these units they are no longer being allocated to new tenants from the Community Housing Access Network (CHAN) waiting list and the number of available rent-geared-to-income units will continue to decrease. This is in accordance with Provincial policy, however Housing Division staff is presently exploring ways to "resurrect" these units and expand Hamilton's supply of affordable housing.

In November 1999, the Ministry of Municipal Affairs and Housing announced a "Homelessness Initiative" to implement up to 10,000 new units available under a new variation of the Rent Supplement Program with 100% funding by the Province. In addition, the Ministry of Community and Social Services (MCSS) and the Ministry of Health - Long Term Care (MOH/LTC) were allocated 2,000 supportive rental units for people with special needs. MCSS targeted abused women and individuals with developmental disabilities and MOH/LTC targeted group included the frail elderly, individuals with acquired brain injuries, the physically disabled, people with substance abuse concerns and individuals with HIV/AIDS. However, the 100% Provincial funding for this new Rent Supplement Program is to expire on March 31, 2005.

The procedure for administering the Rent Supplement Program for "supportive" units is different from that of the "homelessness" Rent Supplement Program. Within the "supportive" context, the sponsoring agencies find appropriate rental units and provide application forms for landlords to complete. The sponsoring agency must provide documentation that they have approval for their unit allocation through their respective program (Ministry of Community and Social Services or Ministry of Health – Long Term Care) and a signed support service agreement must be in place. Landlords are made aware of the support service agreements as the sponsoring agency must explain to the landlord what support services will be provided for their particular client group.

Noted below is a summary of the amount of units allocated by the Provincial Government under the "Homelessness Initiative" for take up in the City of Hamilton:

Rent Supplement Program	**Allocation**	**Taken Up**	**Still Available**
Homelessness	252	108	144
Supportive (MCSS)	20	6	14

The Provincial Government has also very recently announced increased flexibility in the tenant and landlord eligibility under the Rent Supplement Program "Homelessness Initiative". Although the scope of these changes has to be clarified with respective Provincial staff and the detailed implementation guidelines have yet to be released, Housing Division staff believe these changes are positive and will expedite the timely take up of these units. Further, it is anticipated that the Provincial Government some time over the next several months will make an additional allocation of new Rent Supplement Program units. Accordingly, Housing Division staff will be undertaking a vigorous campaign to ensure all of the available units are taken up.

How the Rent Supplement Program is Delivered

Formal agreements are entered into between the City and owners of rental housing. The landlords agree to set aside units for tenants who qualify for Rent Supplement assistance. All tenants for Rent Supplement units come from the Community Housing Access Network (CHAN) waiting list.

There are indications that the Provincial Government will commit to on-going funding beyond March 31, 2005. However, as we understand it, the subsidy will remain only as long as the tenant remains in the unit and the tenant is eligible for a subsidy. If those conditions are not maintained, then the subsidy is permanently lost resulting in a loss of affordable housing opportunities.

Within the context of the Social Housing Reform Act, new Rent Supplement Agreements between the City in its capacity as "Service Manager" and the respective landlord normally require Council approval. However, with a view to streamlining and enhancing administrative efficiencies within the Housing Division, Council on November 27, 2001 approved Report PD01061(B) which recommended "all other administrative responsibilities of the Act and regulations issued thereto be delegated to the General Manager of Planning and Development or designate."

With an anticipated increase in the number of Rent Supplement units available for take up over the coming months, this action will expedite the delivery of the additional Rent Supplement units to provide much needed affordable housing to Hamilton residents in a timely manner.

ANALYSIS OF ALTERNATIVES:

Not utilizing the currently available and forthcoming units under the Rent Supplement Program will have adverse implications on households on the Community Housing Action Network (CHAN) waiting list. These households are eligible for rent-geared-to-income housing assistance but have yet to be offered appropriate accommodation. By not maximizing the take up of available units will lengthen their wait for affordable housing.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – None.
Staffing – None.
Legal – None.

POLICIES AFFECTING PROPOSAL:

No existing policies will be affected by this action.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Housing Division Staff has consulted with other Service Managers/Municipalities in Ontario and they will be proceeding in a similar fashion to maximize the take up of the additional Rent Supplement Program units. Housing Division staff is also in constant communication with staff of the Social and Public Health Services Department on emerging policy directions and as new and/or revised guidelines associated with the Rent Supplement Program are released.

CITY STRATEGIC COMMITMENT:

The Rent Supplement Program supports the fifth Personal Health and Well-Being Goal of the "Strategies of a Sustainable Community" document:

- To develop a caring community which gives support and opportunity to all its members.

Specifically, this report supports Strategy 151, which recommends the following responses to housing needs in the community:

- Improving the match between local-income households and the amount of low-rent housing.
- To expand the housing continuum to meet social housing needs.

KE/MA/ke/ma

AFFECTS WARD 2

12.2

CITY OF HAMILTON

PLANNING AND DEVELOPMENT DEPARTMENT
Long Range Planning and Design Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	May 31, 2002 Robinson St. 61	**Prepared by:**	David Cuming (905) 643-1262 Ext. 215

SUBJECT: Designation of 61 Robinson Street under Part IV of the Ontario Heritage Act (PD02118) (Ward 2)

RECOMMENDATION:

(a) That the designation of 61 Robinson Street as a property of historic or architectural value or interest pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved.

(b) That the Reasons for Designation, attached as Appendix A to Report PD02118, be approved.

(c) That Council direct staff to take appropriate action to designate under Part IV of the Ontario Heritage Act in accordance with the Notice of Intention to Designate, attached as Appendix B to Report PD02118.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

61 Robinson Street is the site of a former residence and carriage house, built in 1885 for Francis Mills and later occupied by the Royal Hamilton Military Institute from 1947 to the mid 1990s. It is constructed in the Queen Anne style using a variety of stylistic features and building materials typical to the period. Following recent site planning, condominium and rezoning approvals to permit six dwelling units within the existing building fabric the property owner has submitted an application for a demolition permit to the City. Staff advised LACAC of this application and LACAC now seeks the designation of this

property (without a request from the property owner) to ensure the property's appropriate conservation and management with either the current property owner or future property owners.

BACKGROUND:

Context:

61 Robinson Street is listed in the former City of Hamilton's *Inventory of Buildings of Architectural and/or Historical Interest* and is located on the southeast corner of Park and Robinson Streets, across from the Thistle Club (southwest corner). The existing building was owned and occupied by the Royal Hamilton Military Institute (RHMI) from 1947 to the late 1990s. The original building complex on this site comprised a single-family dwelling, erected for Francis H. Mills in 1885, and a detached rear carriage house, likely built at the same time. The $2^{1}/2$ storey late Victorian brick house was enlarged for the RHMI by the construction of a large one-storey rear addition wrapping around the west façade and linking the main house to the rear carriage house facing Park Street.

In 1981, the former City of Hamilton passed By-law No. 81-346 to change the zoning of lands owned by the RHMI into two blocks: Block 1 from "E" (multiple dwellings, etc.) to "C" to permit the RHMI and a military museum as an accessory use in the existing building and Block 2 from "E" to "E"-modified, to permit the construction of an 11-storey apartment building. The density from Block 1 was transferred to Block 2 to allow for the preservation of the existing heritage building while permitting a higher density development on Block 2 than allowed under the unmodified "E" District Zoning. Council of the day agreed to the density transfer in order to ensure conservation of the building. The parcel of land identified as Block 2 was subsequently severed and *The Garrison* condominium building erected. In 1991, the former City of Hamilton LACAC encouraged the RHMI to request designation but no action was taken.

More recently in 2001 the former City of Hamilton LACAC Research Sub-committee met on two occasions to discuss a development proposal (apartment building) involving demolition of the subject property. The Research Sub-committee recommended against the displacement of the heritage structure (January 16, 2001 and February 6, 2001). The original 1880s residence and the stable building/carriage house (now linked by a one-storey addition) were considered to constitute a significant built heritage resource, which should be preserved. The house was determined to be a good example of the late Queen Anne style: characteristic and noteworthy features include the steep-pitched hipped slate roof with tall chimneys, bay windows, wrap-around wood porch with paired square columns and an enclosed porch with similar detailing.

A rezoning application (PD01044) to develop the property for the apartment building was subsequently denied by Council and the proponent sought to adaptively re-use the existing structure for 6 condominium dwelling units. Both zoning amendment and site plan approvals were granted by the City to permit the proposed adaptive re-use but the proponent has been unable to sell the units. Accordingly, the applicant is now seeking a demolition permit for the removal of the entire building complex. The owner has been advised in correspondence from the Director of Building and Licensing (April 23, 2002) that "the subject premises are of interest to the Local Architectural Conservation

Advisory Committee (LACAC), who may wish to pursue designation under the Ontario Heritage Act."

Demolition of the building would leave the owner without any prospect of redeveloping the site. The condominium residential units were approved on the basis of their development and use within the existing building fabric. Loss of the building will result in the loss of any development potential under the current zoning.

In order to assist the proponent Planning and Development Department staff has advised on a number of alternative strategies in order to encourage a new approach to re-using and redeveloping the site. Despite these alternatives (including severing land at the rear) the proponent is still pursuing the demolition permit. Accordingly, the matter was referred to LACAC for advice.

At the City of Hamilton LACAC meeting of May 16, 2002 LACAC adopted the following motion:

(a) Advise Council that the property is worthy of designation under Part IV of the Ontario Heritage Act and direct staff to prepare Reasons for Designation for Council adoption as soon as possible.

(b) Advise staff to continue to work with the proponent to determine other adaptive re-use and development strategies that incorporate and preserve the existing building including residential and office uses.

Heritage staff and members of LACAC have also been contacted by representatives of the Durand Neighbourhood Association who are concerned about the future of this property and the conservation of the structures.

Heritage attributes:

History and context

The subject property was acquired from Andrew Wood as a vacant lot in 1884 by 33 year old Francis Mills. The following year construction of a residence and carriage was commenced. In 1890 the property was sold to Warren Burton and the family occupied the property until 1902. Burton was a barrister with the local firm of Bruce, Burton and Bruce.

By 1900 the area bounded by Bay, Bold, MacNab and Robinson featured a variety of residences with many large homes located on expansive lots. Few of these have survived to the present day; most were replaced by post-war apartment construction. A key surviving landmark is the Hamilton Thistle Club that occupies the southwest corner of Robinson and Park. This subject property comprising the former residence, carriage house and expansive grassed front yard is considered to be a rare surviving example of a nineteenth-century, Queen Anne style residence in this immediate area.

Architecture

The 1885 residence was built in the Queen Anne style. This style typically featured or used variations on the following:

- asymmetrical facades;
- steeply pitched roof of irregular shape, usually hipped roof with lower cross gables;
- a dominant front-facing gable;
- textured shingles to avoid a smooth walled appearance; and,
- partial or full asymmetrical porches or verandahs extending along one or both side walls.

The subject residence comprises a red-brick, three-bay structure of two-and-one half stories, set on a stone foundation with an asymmetrical, steeply pitched, irregular roof of patterned fish-scale slate.

Prominent building features at the first floor include a one storey-conservatory or sun room and wrap around porch distinguished by matching paired columns (verandah) and pilasters (conservatory), verandah balustrading, a double doorway, dentillated cornice, stain glass windows and a bay window all on the front or north façade. Architectural features on the second floor include rectangular window openings with stone sills and lintels, some of which feature decorative mouldings and a bay window on the west elevation. The brick surface also features an applied red paint wash with decorative painted black courses of brickwork. A dentil course is located immediately below the roofline. The irregularly shaped roof features a number of prominent gabled dormers with slate roofs, decorative bargeboard and wood panelling. Prominent, tall, patterned masonry chimneys of brick with stone detailing punctuate the roofline.

To the rear of the lot is a one-and-one half storey, former carriage house/stables of modest, vernacular, brick construction with flat-topped gable roof with bargeboard. This structure is now linked to the main body of the house by a later addition. The prominent location of the former residence on this corner lot is also enhanced by the expansive grassed front yard that provides an important setting for the building complex.

Consequences of designation:

The proposed designation would apply to all existing buildings and structures on the property to ensure appropriate conservation management of the property in the event of its continued adaptive re-use and prospective alteration. Any future changes to the property that would affect the reasons for designation as specified in the designating by-law would require a heritage permit. Since January 1 2001 LACAC and Council have approved all heritage permits submitted to date.

Designation does not prevent demolition but simply provides a delay of 180 days for the re-consideration of alternatives to demolition. The City of Hamilton Act, 1994, pertaining to the former City of Hamilton modified this provision. The legislation enabled the City to delay demolition until the applicant-owner of the designated heritage property applied for a building permit and received building permit approval. The applicant-owner has two years to construct according to the approved permit.

ANALYSIS OF ALTERNATIVES:

The conservation of the subject heritage building and property had been envisaged originally as part of the development, density transfer and continuing occupancy of the building by the RHMI established in the 1980s. Alternatives for developing the site have been considered by the current owner and planning staff has met on several occasions to advise on the appropriate development of the site.

To date the owner has not submitted any new proposals for the subject site should demolition proceed.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – There are no Corporate financial implications.

Staffing – Not applicable

Legal – The designation process will follow the requirements of the Ontario Heritage Act and provide for adequate notice of Council's intention to designate the property to the owner and the Ontario Heritage Foundation. Formal objections may be made under the Ontario Heritage Act and heard before the Conservation Review Board and prior to Council approving the designating by-law.

POLICIES AFFECTING PROPOSAL:

Subsection C.6-Heritage Resources of the former City of Hamilton's Official Plan provides for the management of the wealth of local heritage resources. Designation under the Ontario Heritage Act would be in keeping with this policy intent.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

N/A.

CITY STRATEGIC COMMITMENT:

Designation of the subject property would in keeping with the strategic intent of *Vision 2020.*

:DC
Attachs. (3)

61 Robinson Street

City of Hamilton

Reasons for Designation

Context

61 Robinson Street is located on a lot at the southeast corner of Park and Robinson Streets in the City of Hamilton. The original building complex on this site comprised a single-family dwelling, erected for Francis H. Mills in 1885, and a detached rear carriage house, likely built at the same time. The $2^{1}/_{2}$ storey late Victorian brick house was owned and occupied by the Royal Hamilton Military Institute (RHMI) from 1947 to the late 1990s. The RHMI enlarged the residence with the construction of a large one-storey rear addition wrapping around the west façade and linking the main house to the rear carriage house facing Park Street. The subject property comprising the former residence, carriage house and expansive grassed front yard is considered to be a rare surviving example of a nineteenth-century, Queen Anne, residence in this immediate area.

Historic value

The subject property was acquired as a vacant lot in 1884 by 33 year old Francis Mills from Andrew Wood. The following year construction of a residence and carriage was commenced. In 1890 the property was sold to Warren Burton and the family occupied the property until 1902. Burton was a barrister with the local firm of Bruce, Burton and Bruce.

By 1900 the area bounded by Bay, Bold, MacNab and Robinson featured a variety of residences with many large homes located on expansive lots. Few of these have survived to the present day, with most replaced by post-war apartment construction. A key surviving landmark is the nearby Hamilton Thistle Club that occupies the southwest corner of Robinson and Park.

Architectural value

This 1885 residence was built in the Queen Anne style that typically featured or used variations on the following: asymmetrical facades, steeply pitched roof of irregular shape, usually hipped roof with lower cross gables, a dominant front-facing gable, textured shingles to avoid a smooth walled appearance, and partial or full asymmetrical porches or verandahs extending along one or both side walls.

The subject residence comprises a redbrick, three-bay structure of two-and-one half stories, set on a stone foundation with an asymmetrical, steeply pitched, irregular roof of patterned fish-scale slate.

Prominent building features at the first floor include a one storey-conservatory or sun room and wrap around porch distinguished by matching paired columns (verandah) and pilasters (conservatory), verandah balustrading, a double doorway, dentillated cornice, stain glass windows and a bay window all on the front or north façade. Architectural features on the second floor include rectangular window openings with stone sills and lintels, some of which feature decorative mouldings and a bay window on the west elevation. The brick surface also features an applied red paint wash with decorative painted black courses of brickwork. A dentil course is located immediately below the roofline. The irregularly shaped roof features a number of prominent gabled dormers with slate roofs, decorative bargeboard and wood paneling. Prominent, tall, patterned masonry chimneys of brick with stone detailing punctuate the roofline.

To the rear of the lot is a one-and-one half storey, former carriage house/stables of modest, vernacular, brick construction with flat-topped gable roof with bargeboard. This structure is now linked to the main body of the house by a later addition.

The prominent location of the former residence on this corner lot is also enhanced by the expansive grassed front yard that provides an important setting for the building complex.

This designation applies to the existing green space and to the exterior of all existing buildings, including all facades, entranceways, porches, windows, stained glass, chimneys, dormers and roofs, together with all construction materials.

CITY OF HAMILTON

NOTICE OF INTENTION TO DESIGNATE

61 Robinson Street, City of Hamilton

IN THE MATTER OF THE ONTARIO HERITAGE ACT and the property in the City of Hamilton known municipally as 61 Robinson Street.

NOTICE IS HEREBY GIVEN that the City of Hamilton intends to designate this property as being a property of historic or architectural value. This former residence and carriage house, built in 1885 for Francis Mills and later occupied by the Royal Hamilton Military Institute from 1947 to the mid 1990s, is constructed in the Queen Anne style using a variety of stylistic features and building materials typical to the period.

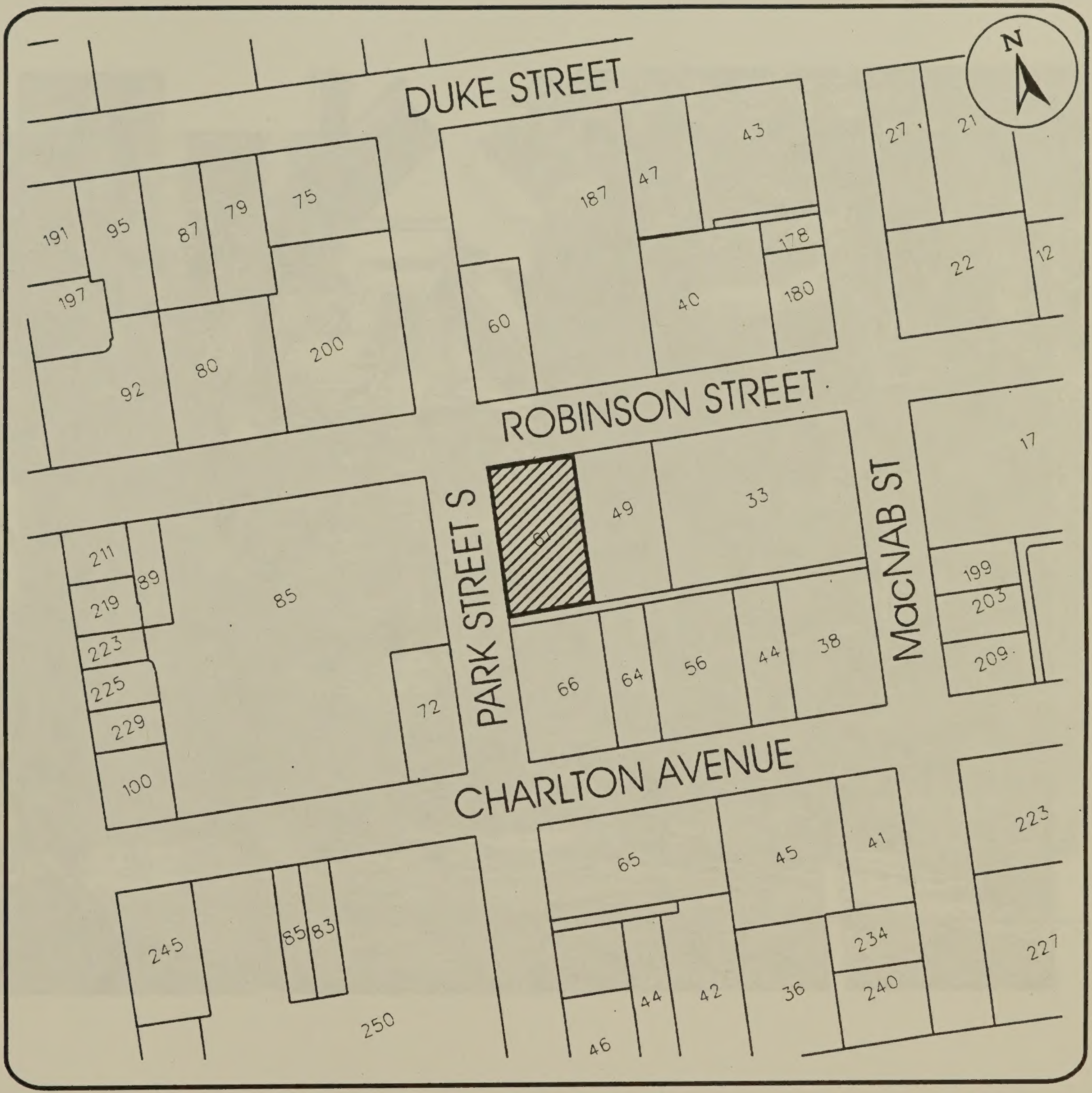
The complete Reasons for Designation may be viewed in the Office of the City Clerk, 2nd Floor, City Hall, 71 Main Street West, during regular business hours.

Any person may, within 30 days after the date of publication of this Notice, serve written notice of his or her objection to the proposed designation together with a statement for the objection and all relevant facts.

Dated at Hamilton, this   day of   , 2002.

K. Christenson
City Clerk
Hamilton, Ontario

Appendix C to PD02118
Committee of the Whole
June 18, 2002
Page 1 of 3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PARK STREET S
MacNAB ST
CHARLTON AVENUE
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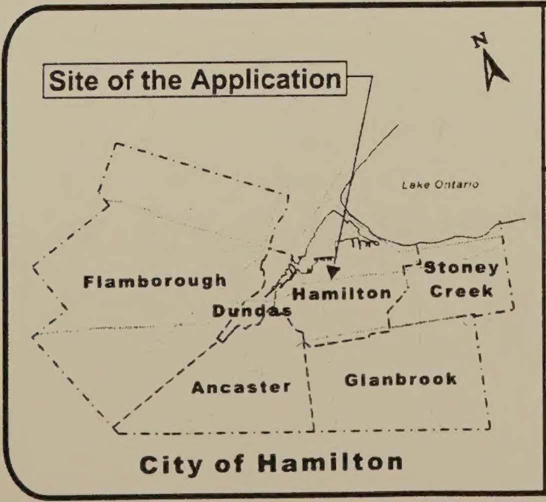
Site of the Application
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Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
61 Robinson Stret

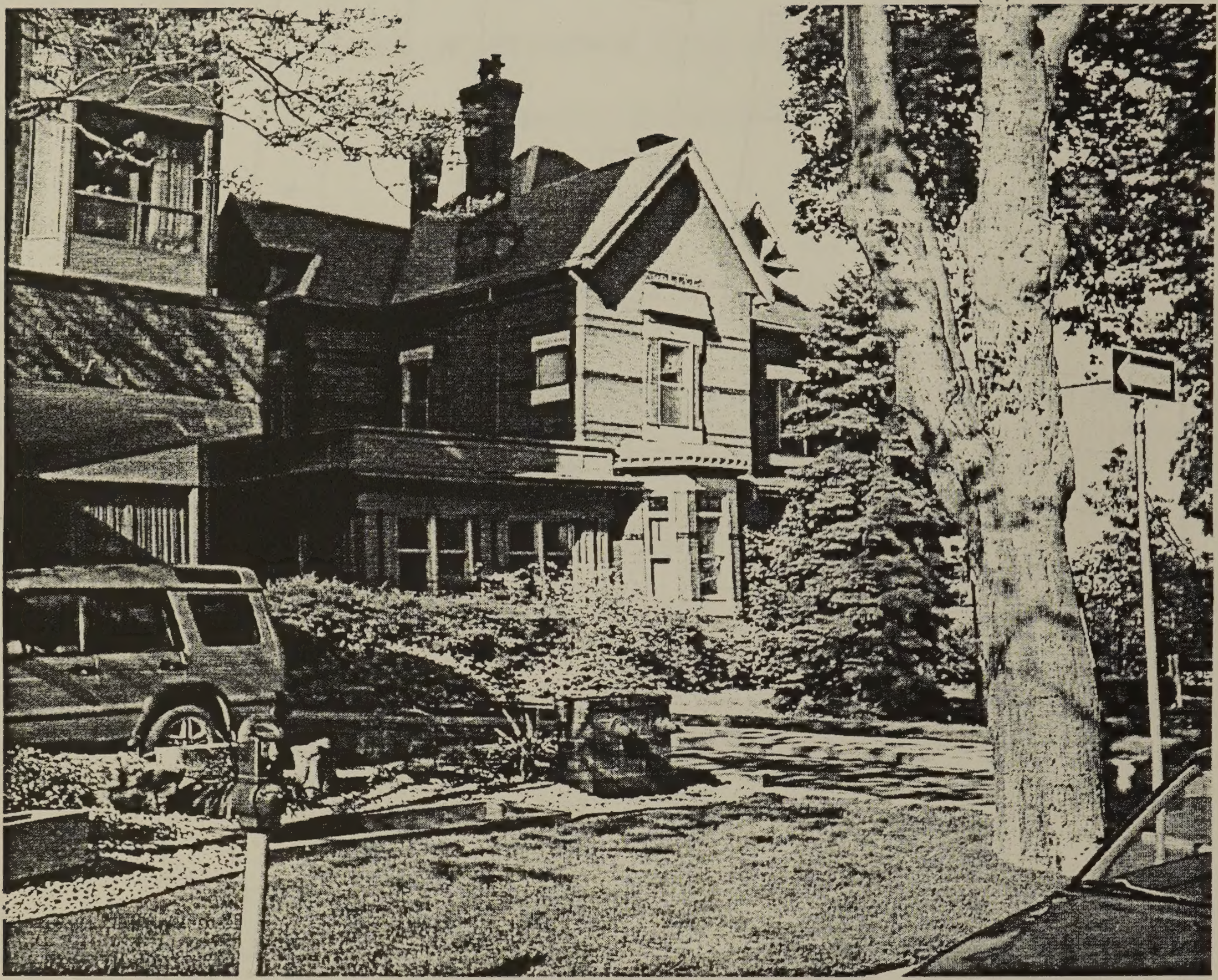
Filename/number
61 Robinson St

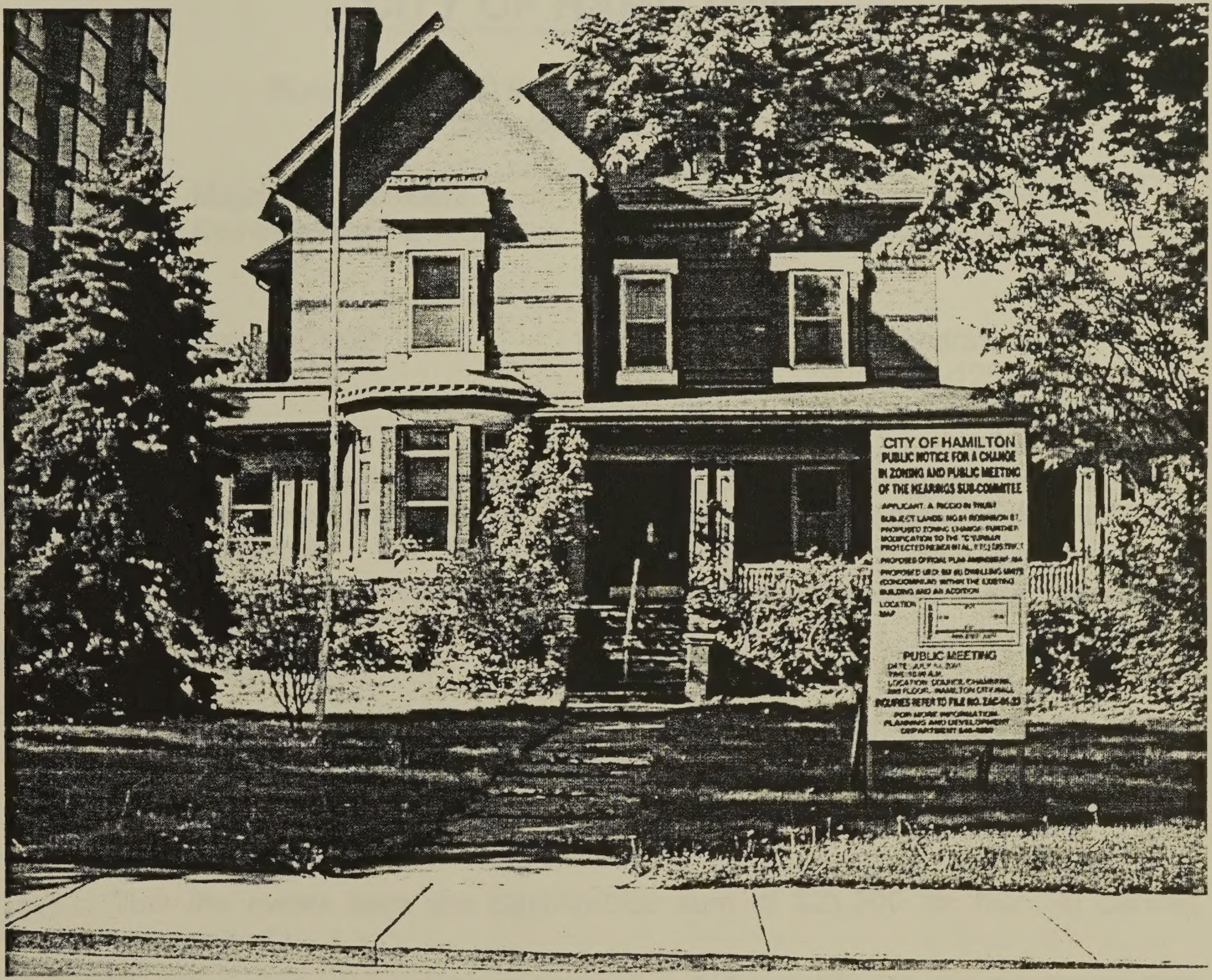
Date
May 27, 2002

Technician:
NM

Map Not to Scale

Appendix "C"




CITY OF HAMILTON
PUBLIC NOTICE FOR A CHANGE
IN ZONING AND PUBLIC MEETING
OF THE HEARINGS SUB-COMMITTEE
APPLICANT: A. RICCIO IN TRUST
SUBJECT LANDS
PROPOSED ZONING CHANGE
PROPOSED OFFICIAL PLAN AMENDMENT
PROPOSED USE
BUILDING AND AN ADDITION
LOCATION MAP
PUBLIC MEETING
DATE
TIME
LOCATION: COUNCIL CHAMBERS, HAMILTON CITY HALL
INQUIRIES REFER TO FILE NO.
FOR MORE INFORMATION
PLANNING AND DEVELOPMENT
DEPARTMENT

AFFECTS WARD 9

CITY OF HAMILTON

12.3

PLANNING AND DEVELOPMENT DEPARTMENT

Development Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Lee Ann Coveyduck General Manager
Date: **File:**	May 31, 2002 CLP-02-02	**Prepared by:**	Ken d'Andrade (905) 643-1262 Ext. 324

SUBJECT: Request for the Payment of Cash-in-Lieu of Parking for Lands Located at 4, 6 and 8 King Street East (former City of Stoney Creek) (PD02114) – (Ward 9)

RECOMMENDATION:

That approval be given to **Cash-in-Lieu of Parking Application, CLP-02-02, Violmi Inc., owner**, for payment of Cash-in-lieu for four (4) parking spaces for property located at 4, 6 and 8 King Street East (Stoney Creek), as shown on Appendix "A" to Report PD02114, subject to the following:

(a) That the owner pays the Cash-in-Lieu sum of $21,200 for four (4) parking spaces; and,

(b) That Corporate Counsel be authorized and directed to prepare the appropriate Agreement.

Lee Ann Coveyduck
General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

The owner of the subject lands has submitted an application for Cash in-Lieu of Parking for four (4) parking spaces. In order to promote downtown redevelopment, former City of Stoney Creek staff indicated to the owner that staff would recommend to Council that the owner receive a "credit" for an equivalent amount of commercial floor space being replaced.

The Cash-in-Lieu of Parking Committee supports the application for payment of Cash-in-Lieu for four (4) parking spaces.

BACKGROUND:

Violmi Inc. has submitted a Site Plan Application DA-02-30 to permit the construction of a one (1) storey commercial building. The proposed commercial building will be used for a restaurant (Tim Horton's) and a denturist's office. The proposed development requires thirty-three (33) parking spaces, as per By-law No. 3692-92. The proposal to redevelop the subject lands was initiated prior to amalgamation. The Planning Department of the former City of Stoney Creek was interested in promoting redevelopment of the subject lands. The subject lands were developed with rather dilapidated commercial buildings that lacked both character and sufficient parking. Staff of the former municipality indicated in a letter to the proponent that they would recommend to Council that the proponent receive a "credit" for the equivalent amount of commercial floor space being replaced (see attached Appendix "B"). It is noted that the former commercial buildings (822 sq.m.) required twenty-nine (29) parking spaces, although no parking was provided. If credit were given, thirty-three (33) parking spaces, minus twenty-nine (29) parking spaces, would result in a deficiency of four (4) parking spaces. The applicant has applied for Cash-in-Lieu of Parking for four (4) parking spaces in order to obtain relief from the parking requirements.

ANALYSIS OF ALTERNATIVES:

Should the application for the Cash-in-Lieu payment for four (4) parking spaces not be approved, (including the credit for commercial floor space being replaced), the owner would be responsible for the provision of thirty-three (33) parking spaces, which it is understood, would preclude redevelopment.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial – Pursuant to Section 40 of the Planning Act, Council approval is required for Cash-in-Lieu of Parking. The City will collect $21,200 for the Cash-in-Lieu fund, which is one hundred percent (100%) of the total cost for four (4) parking spaces.

Legal – The New City is obligated to respect and honour former commitments made by the staff of the former City of Stoney Creek.

POLICIES AFFECTING PROPOSAL:

Policy 2.2.13, "Downtown", of the Stoney Creek Official Plan, permits Council to waive the requirement for sufficient parking on site, subject to the owner making a financial contribution for the provision of Municipal parking.

Section 4.10.2, "Required Parking (By-law 4470-96)", of the "General Provisions For All Zones" of By-law No. 3692-92, permits the payment of Cash-in-Lieu of parking in accordance with Section 40 of the Planning Act.

CONSULTATION WITH RELEVANT DEPARTMENTS:

The Parking and Enforcement Operations Division reviewed the submission and have reservations with the approval of the application for the following reasons:

- The subject property is in the downtown core of the former City of Stoney Creek where there are current, ongoing concerns by the business community, elected officials and staff with respect to parking availability. The demand for both on and off-street parking regularly exceeds the supply of parking in this area. A Public Meeting has been scheduled for June 11, 2002, to discuss these concerns and to discuss, with the affected stakeholders, possible options to improve parking conditions.

- The approval of the above note application will more than likely exacerbate the problem, considering that a Tim Horton's and dental clinic would likely be major traffic/parking generators. Therefore, we cannot support this application at this time.

- Notwithstanding the above, the correspondence provided at the May 6, 2002 meeting from the former City of Stoney Creek staff (Appendix "B"), supports the applicant's plans as they relate to parking shortages and Cash-in-Lieu.

CITY STRATEGIC COMMITMENT:

The approval of the application will permit the redevelopment of the subject lands and will add to the reserve fund for the acquisition of properties for public off-street parking.

COMMENTS:

The above noted application was received by the Cash-in-Lieu of Parking Committee and the Committee recommends **approval** of the application for the following reasons:

- Planning objectives are satisfied as the Official Plan and Zoning By-law allows for Cash-in-Lieu of parking in accordance with Section 40 of the Planning Act. In addition, the Official Plan objectives of promoting redevelopment and creating an attractive environment in the downtown will be met.
- This proposal is consistent with the commitment of the former City of Stoney Creek staff to recommend to Council that "credit" be given for an equivalent amount of commercial floor space.
- In order for Council to promote redevelopment in the downtown core, it may be necessary to offer incentives for development.

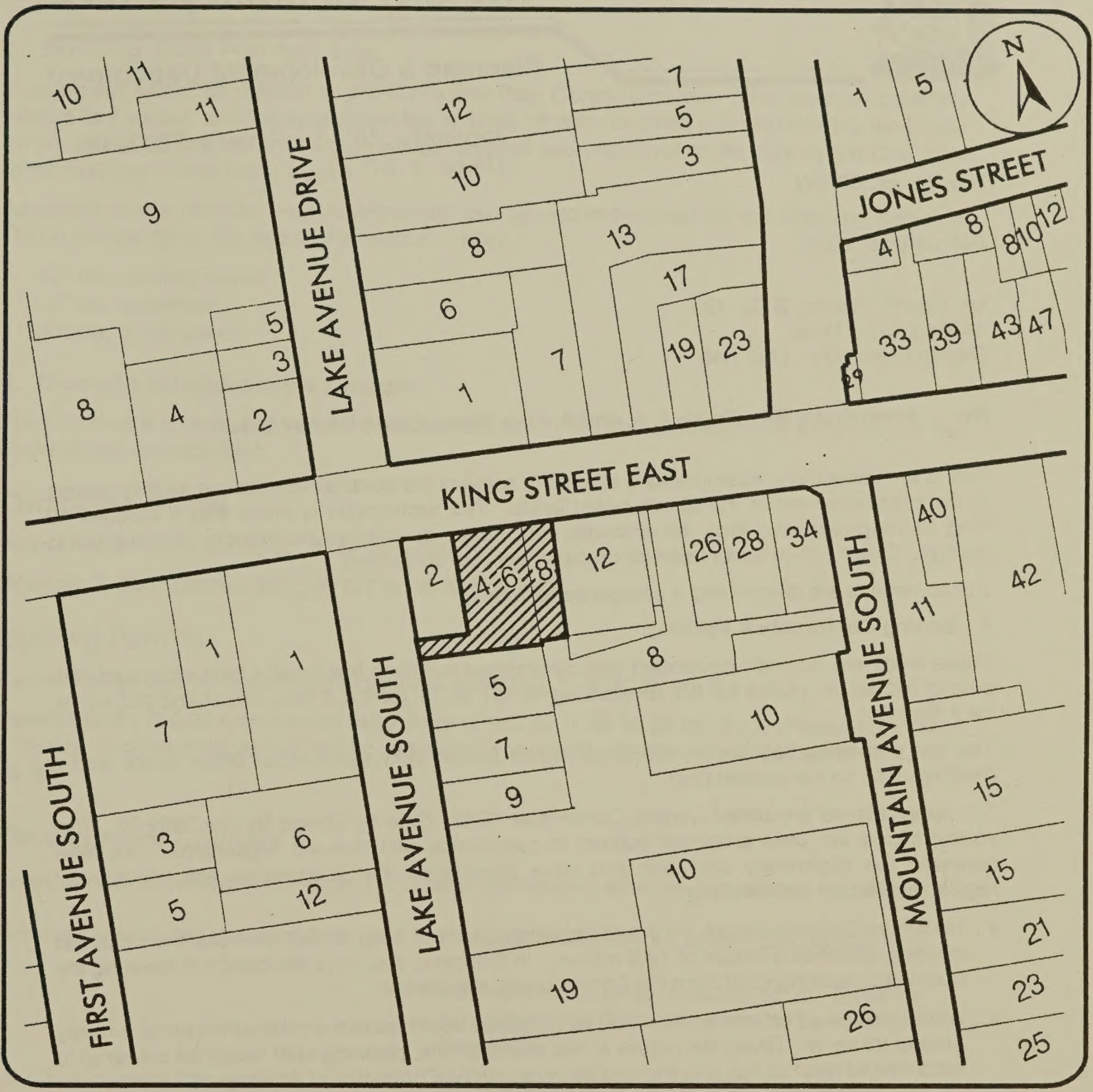
The approval of the Cash-in-Lieu of Parking application will require the payment of $21,200 to the City of Hamilton's Cash-in-Lieu of Parking fund.

CONCLUSION:

Based on the foregoing, the application can be supported.

:KDA
Attachs. (2)

Appendix "A" to Report PD02114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KING STREET EAST
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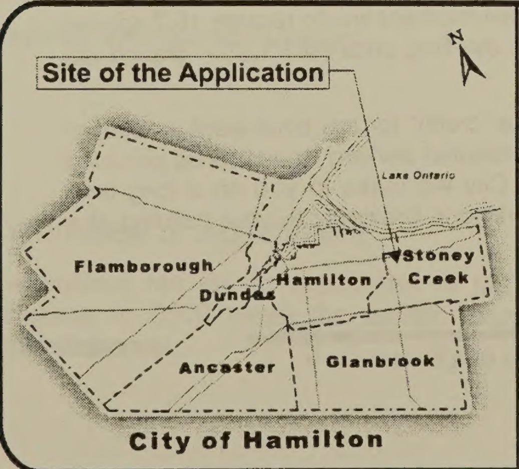

Site of the Application
N
Lake Ontario
Flamborough
Dundas
Hamilton
Stoney Creek
Ancaster
Glanbrook
City of Hamilton

CITY OF HAMILTON
PLANNING AND DEVELOPMENT DEPARTMENT

Location Map

▨ **Subject Property**
4,6 & 8 King Street East

Filename/number
CLP-02-02

Date
May 27, 2002

Technician:
SN

Map Not to Scale

Appendix "A"

The City of Stoney Creek

Planning & Development Department

Appendix "B" to Report PD02114
(Page 1 of 3)

File No. BL.08.KIN

February 15, 2000

Mr. Paul P. Pacifici, B.Sc., DD
38 King Street West
Stoney Creek ON L8G 1H6

Re: Preliminary Site Plan – 4, 6, and 8 King Street East – Stoney Creek

This is an introductory letter intended to identify some of the development issues as they pertain to the redevelopment of the above noted lands. The assumption is made that it includes 10 King St as proposed. Also, all amounts and figures quoted are preliminary and subject to change. Existing floor areas used for credits must also be verified.

Our comments are divided into 4 categories as follows:

1. Zoning Conformity & Parking:

These lands are currently developed with commercial buildings that have a total estimated floor area of 822 sq. m. (8,848 sq. ft.). (Breakdown is 557 sq. m. for 4 & 6 King Street and 265 sq. m. for 8 King St.)

You are proposing 553 sq. m. (5952 sq. ft.) of ground floor commercial office space and 6 dwelling units on the second floor.

The subject lands are zoned Central Commercial "CA2" Zone by Zoning By-law 3692-92. This zoning allows the uses proposed subject to compliance with relevant regulations. We have reviewed the preliminary site plan and have determined that it complies with all relevant regulations except the following:

- Maximum Building Height – 10 metres within 30 m. of King Street whereas the proposed building identifies a height of 12.5 metres. In this case, you have the option of lowering the building or seeking relief from the Committee of Adjustment.
- Amenity Area – The residential units, as proposed would require a minimum internal amenity area of 93 sq. m. Given the nature of this development, planning staff would be prepared to recommend relief of this requirement be given by the Committee of Adjustment.
- Parking – Based on the proposed size and use, this development would require 19.7 spaces for the commercial area (@1/28) and 8 spaces for the dwelling units (@1/1.25 – ground up) for a total of 27 spaces.

  City staff will recommend to Council that you receive a "credit" for the equivalent amount of commercial floor space being replaced. However residential parking needs to be provided for the use of the future residents. To this end, the City will lease to you on a long term basis the required amount of land for the required parking in proximity to your building at a rate to be negotiated.

2. Servicing & Site Plan Approval:

Your project would be subject to the City's Site Plan Control process. This process generally takes 6 to 8 weeks and the application fee is $750. A letter of credit and engineering fee based on the estimated cost of construction will be required upon approval of the plan by the City, prior to the Building Permit being issued.

According to our records, your development can be accommodated by the following services. (To be verified given the age of the source - 1966).

- 12" dia. sanitary sewer
- 6" dia. watermain
- 30" dia. storm sewer

3. Development Approvals & Charges:

The following is a breakdown of the expected charges (Permits & Development Charges) for the above-noted development:

Demolition Permit

Permit Fee $120.00 (6,000 sq. ft. @ $0.02 sq. ft.)

Sidewalk & Curb Deposit $675.00 (27 m. @ $25.00 m.)

Building Permits

Permit Fee $4,554.00 Residential Floor Area (6,600 sq. ft. @ $0.69 sq. ft.)

Permit Fee $4,700.00 Commercial Floor Area (5,950 sq. ft. @ $0.59 sq. ft.) & (Please note that a "tenant improvement permit" will be required for each unit with the permit fee based on 0.20 sq. ft.)

Development Charges

Public School Development Charge: No Charge (Eliminated, effective September 1, 1999)

Separate School Development Charge:	Residential: $339.00 x 6 units = $2,034.00
	Commercial: $0.22 sq. ft (8.245 sq. ft. - 8,848 sq. ft.) = No charge (full credit given for demolished floor area)
City Development Charge:	No Charge (Exempted per Olde Town Area)
Regional Development Charge:	Residential: $1.732.00 x 6 units = $10.392.00
	Commercial: $3.52 sq. ft. (8,245 sq. ft. - 8,848 sq. ft.) = no charge (full credit given for demolished floor area)

Committee of Adjustment

The present fee for an application to the Committee of Adjustment is $450 but it maybe increased to $500 within the month. Approximately 60 days are required to process an application.

4. Architectural Design:

There is an urban design plan for the old town of Stoney Creek that establishes a "vision" and recognises its unique identity. Essentially, the aim is to reinforce the historic character of the area with traditional architecture and public spaces.

As far as your project is concerned, the important principles are to follow a historic Ontario storefront theme (facade and signage), to ensure the building is street-oriented (entries, windows and 0m front yard) and to ensure that the front wall is flat and square to the street with a minimum height of 2 storeys.

The preliminary elevation you provided meets most of these criteria. However, we would like to make some suggestions relative to the façade treatment. Generally speaking the traditional storefront vernacular follows a specific style per façade as opposed to a combination of different styles in a facade. We have provided some sketches to illustrate various typical traditional facades treatments. I would like to discuss this issue in more detail with you.

Should you require additional information or wish to discuss this in further detail, please contact me at your convenience at Ext. 314. Bob Reid (Ext. 354) will handle the site plan approval, Ken d'Andrade (Ext. 355) will process the minor variance application and Collin Potter (Ext. 367) will process the Building Permit.

R. Mostacci

Rino Mostacci, MCIP, RPP
Senior Planner

Copy to:

R. Marini
B. Allcock

SECTION 13

CITY WIDE
IMPLICATIONS

CITY OF HAMILTON

13.1

SOCIAL AND PUBLIC HEALTH SERVICES DEPARTMENT
Health Protection Branch

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Dr. Monir Taha, Acting Medical Officer of Health
Date:	May 30, 2002	**Prepared by:**	Richard MacDonald (546--3570)

SUBJECT: 2002 West Nile Virus Response SPH02017 (City Wide)

RECOMMENDATION:

a) That this report which outlines Hamilton's West Nile virus response for the 2002 season, including prevention and control strategies, be accepted as information.

b) That the Province be requested to co-ordinate and fund this response strategy in a similar fashion to other provincially funded public health programs, and

c) That provincial funding of this response strategy also include funding for mosquito control measures that become necessary.

Dr. Monir Taha
Acting Medical Officer of Health

EXECUTIVE SUMMARY:

The risk of a West Nile Virus (WNV) human case occurring in Ontario this year has increased as a result of the virus being detected in birds or mosquitoes in Ontario, including Hamilton, in 2001 and in a Mississauga crow in May 2002. Prevention and control measures will be necessary to decrease the impact of WNV as it re-emerges each year. Surveillance (including computer mapping) of the virus in crows and humans and other mammals, together with prevention strategies and public communication activities, will be provided by SPHSD this season. A mosquito surveillance program, which is a prerequisite to mosquito control activities that may help to reduce human cases, will also occur and will build on the activities carried out in 2001. An ongoing control program will focus mainly on source reduction with larviciding (killing larval stage of mosquito) and adulticiding (killing adult mosquitoes), being considered as last measures.

Although the Ontario Ministry of Health and Long-Term Care (OMHLTC) has provided Hamilton and 18 other health units with modest one-time funding for WNV related activities for 2002 ($150,000 for Hamilton), the Ministry has not provided a provincial plan or budget to cover larviciding or adulticiding.

Should there be a threat to humans and mosquito control measures are deemed necessary, the City of Hamilton will have the responsibility to provide 100% funding to cover all mosquito control related costs. (A well-established annual program, based on a comparison with the City of Winnipeg, would cost in the range of one to two million dollars. Emergency mosquito control measures only would have a lower cost.) It is recommended that Council requests the province to co-ordinate and fund such a strategy in a manner similar to other provincially funded public health programs, and that the strategy also include provincial funding for control measures, that become necessary.

BACKGROUND:

This spring and summer the City of Hamilton is faced with the distinct possibility of the re-emergence of West Nile virus (WNV) within city limits. In Canada in 2001, 128 birds with WNV infection were detected in 12 Health Units in Ontario, including the City of Hamilton (4 crows out of 120 submissions were positive).

West Nile virus became a public health concern in Canada in late 1999 when the virus was first identified in North America. An outbreak in New York City in August and September that year led to 62 confirmed cases of encephalitis (inflammation of the brain), including 7 deaths. In 2000 and 2001, WNV activity expanded to 27 states from Florida to Maine and from Iowa to New York and, for the first time, Ontario was affected (2001). Now that the virus has reached Canada, federal, provincial, and local governments have concerns that the virus may cause human illness or death in Canada.

West Nile virus infects humans almost by accident, as the mosquitoes that infect humans prefer to feed on birds. When the conditions are right—numerous infected birds and numerous infected mosquitoes in an area close to humans—humans could also be bitten and become infected.

While most people who are infected with West Nile virus will not even know they have an infection, others may show symptoms of a mild febrile illness. Encephalitis (which results in alterations of levels of consciousness or mental state) and death can occur in a very small percentage of those infected (less than 1%). Susceptibility for serious illness consequent to infection increases with age—older adults and the elderly being most at risk.

This disease therefore poses a real public health risk, as the species of mosquitoes that can transmit WNV are ubiquitous in southern Ontario. Crows, a bird species known to be very susceptible to WNV in outbreak areas, are also common to our area. Should the virus re-emerge in the city, prevention and control measures beyond those offered in 2001 may become necessary.

Local Activities Undertaken in 2001

Social and Public Health Services Department, in co-operation with the Ontario Ministry of Health and Long-Term Care and other health units undertook the following activities in 2001:

- **Dead bird surveillance** provides an early warning signal for the presence of WNV, which is primarily a disease of birds. The public was asked to call the health unit to report dead crows or blue jays. Of the 120 birds from Hamilton in 2001 that were tested for WNV, four were positive; all were crows. Computer mapping was used to plot all tested birds.
- **Adult Mosquito Surveillance** enumerates and identifies the different species of mosquitoes present in an area to assist in evaluating the risk to humans, as some mosquito species are more likely to bite humans. No mosquitoes were positive with the virus in Hamilton.
- **Human surveillance** for cases of encephalitis and meningitis in co-operation with area physicians and hospitals. There were no human cases identified.
- **Public communication campaign** through the media and flyer distribution, about removing standing water from residential properties and using personal protection to reduce mosquito bites.
- **Surveillance in other mammals**, such as horses, that can become infected. Local veterinarians were informed by public health and through provincial and federal agencies to look for signs of infection or death due to the virus. There were no mammalian cases identified.
- **Stakeholder communication** with such groups as the former municipalities and Conservation Authorities to inform them of the issue and ask for input about identifying and controlling standing water.

New Concerns and Activities for 2002

The financing, staffing, and supplying of full-scale mosquito control activities is typically beyond the capacities of any single Ontario public health unit. Provincial leadership is required to set standards, to co-ordinate activities across groups of public health units, and to finance such activities. The Ontario Ministry of Health and Long-Term Care (OMHLTC), while co-ordinating some communication between health units and the Ministry and providing some WNV response planning guidance and mosquito surveillance support, has not created a provincial plan or an annualized budget for mosquito control measures. Activities such as larviciding (killing larval stage of mosquito) or adulticiding (killing adult mosquitoes) have a greater potential to become necessary this season within many of Ontario's public health units should a human case occur locally or in an adjacent region.

The OMHLTC has provided one time funding to 18 health units in which the virus was detected in 2001 or was in close proximity. Hamilton received $150,000 and the funds are to be directed to, "contingency planning, communications, mapping, and mitigation (including community consultation and appropriate larviciding)". A guideline has also been provided as to how the funding is to be used, however, this document is under revision at the OMHLTC.

Hamilton may join a pilot project at Brock University to test mosquitoes collected locally for the West Nile virus. A small subset of participating health units will be used in order to streamline the process to get timely dissemination of results to aid in the decision making process for control measures.

Overview of Plans for 2002

For 2002, SPHSD will be undertaking the following activities:

- Public communication campaigns regarding personal protection and elimination of standing water
- Dead bird surveillance commencing May 15th
- Adult mosquito surveillance commencing in mid-June
- Larval mosquito surveillance is under consideration
- Enhanced human surveillance
- Assistance with surveillance of other mammals
- Stakeholder communication
- Outbreak response as required
- Retention of an external mosquito control contractor is under consideration

In the event of unusually large numbers of positive birds in our area or of one or more human cases, the Medical Officer of Health will, in consultation with the Chief Medical Officer of Health for Ontario and the provincial WNV Working Group, determine the best response to minimize human impact. This may include mosquito control activities, such as adulticiding.

The SPHSD West Nile Virus Team will:

- Review internal capacities to identify mosquito breeding sites including GIS mapping.
- Review internal capacities to conduct larval surveillance within the City of Hamilton.

The need for an ongoing prevention program will become clearer in the next few years as the pattern of infection in North America, including our City, unfolds. Because WNV has been detected in Hamilton last year, the annual measure of a comprehensive mosquito, bird, and human surveillance program is required, and builds on the activities carried out in 2001. An ongoing mosquito control program would be based on risk estimation from the surveillance results and would focus mainly on source reduction and larviciding, with adulticiding as a last measure. Such an ongoing program has existed in Winnipeg for over 70 years with costs for 2002 projected to reach two million dollars. While the Winnipeg program is designed primarily to control nuisance mosquitoes (although Winnipeg has also been at risk for mosquito-borne diseases), a program for Hamilton, if needed, would be similar in scope and population served.

ANALYSIS OF ALTERNATIVES:

N/A – Please see 'BACKGROUND', above. Alternatives lie in the issue of timing in relation to triggers and thresholds for response measures that are placed along a continuum defined by proactivity versus reactivity of actions.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- **Social and Public Health Services Department Activities**

The OMHLTC has provided a one time funding to 18 health units in which the virus was detected or was in close proximity. Hamilton received $150,000 and the funds are to be directed to, "contingency planning, communications, mapping, and mitigation (including community consultation and appropriate larviciding)". A guideline has also been provided as to how the funding is to be used, however, this document is under revision by the OMHLTC. There are immediate cost implications for staff time that have no prior budget allocation. These costs will be covered through the reallocation of staff from other budgeted programs, which may therefore be compromised. Impact on these programs will be monitored for this year and any need for increased resources included in future years' budgets.

- **SPHSD WNV Team**

This Team will review internal capacities of the Social and Public Health Services Department, in co-operation with Transportation, Operations and Environment, to undertake identification and geographic information system (GIS) based mapping of mosquito breeding sites as well as the capacity to develop a mosquito control program for possible future implementation. Should an outbreak of WNV occur in this area, it will be essential to have mapping information on breeding sites prior to implementing larvicidal control measures. If the Team determines that there is insufficient internal capacity to undertake these initiatives then the Team would have to recommend an alternate strategy to achieve these steps, likely through the hiring of an external contractor. As well, the municipal department responsible for these activities will need to be identified.

- **Mapping and Control Program Planning Activities**

Preliminary cost estimates to identify potential breeding sites (areas of standing water) and to map those areas using GIS are in the range of $20,000 to $60,000 dollars. If a consultant is hired to undertake this task along with development of a mosquito control program, the additional fee is estimated to be between $20,000 to $40,000 dollars. SPHSD's initial assessments indicate that the technical knowledge, skills, and resources likely do not exist within the Corporation and/or may not be sufficient for a rapid response to WNV in our area. These deficiencies could be overcome through the hiring of an external contractor.

- **Outbreak Response Activities**

Additional control measures to be taken in 2002 will depend on whether WNV is identified in birds and/or humans in the Hamilton area. The response could require the control of adult mosquito populations through measures such as ground or aerial pesticide spraying. Costs for such activities would be substantial to the city, and may range up to $1M for an effective response. If there are no staff within the corporation who can perform these activities then an external contractor will have to be used. Estimated costs of a retaining such an external contractor are approximately $25,000.

Legal Implications

West Nile virus falls within the meaning of a "health hazard" under the *Health Protection and Promotion Act*. Council, as Board of Health, is required, under the Mandatory Health Programs and Services Guidelines to:

- Identify, investigate, and manage health hazards
- Consult with and provide advice to the community about health hazards
- Provide educational materials to raise public awareness of health hazards
- Ensure a timely response to reports of health hazards

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

- Ontario Ministry of Health and Long-Term Care
- Ontario Ministry of Environment and Energy
- Canadian Cooperative Wildlife Health Centre - Ontario Region
- Health Canada
- City of Winnipeg
- Department of Biological Sciences - Brock University
- Transportation, Operations and Environment
- Orkin/PCO Services
- Pestalto Environmental Products Inc.

CITY STRATEGIC COMMITMENT:

(Vision 2020, adopted by Regional Council as its vision for the future of Hamilton-Wentworth and endorsed by the Transition Board as the basis of a vision for the "New" City of Hamilton, embodies the concept of a sustainable community which is an equal balance of the economy, the environment, and social/health factors in all municipal decision-making.)

This recommendation meets the Vision 20/20 goal of Health and Well-Being as the ultimate outcome is the prevention and reduction of WNV disease. Potential negative outcomes might include psychosocial impacts and, rarely, physical impacts in sensitive individuals if spraying against adult mosquitoes (adulticiding) becomes necessary. In addition, animal and insect species might be affected through the control of standing water (potential mosquito breeding sites) and in the adulticiding process.

CITY WIDE
IMPLICATIONS

13.2

CITY OF HAMILTON

SOCIAL & PUBLIC HEALTH SERVICES DEPARTMENT
Health Protection Branch

Report to:	Mayor and Members Committee of the Whole	**Submitted by**:	Councillor Anne Bain, Chairperson, Smoking By-law Sub-committee Dr. Monir Taha, Acting Medical Officer of Health
Date:	June 4, 2002	**Prepared by:**	Brian Kreps (905)546-3161

SUBJECT: **Industry Education Regarding Designated Smoking Rooms**
SPH02018 (City Wide)

RECOMMENDATION:

That the report SPH02018, Industry Education Regarding Designated Smoking Rooms, be received for information.

Councillor Anne Bain,
Chairperson, Smoking By-law Sub-committee

Dr. Monir Taha, Acting Medical Officer of Health
Social and Public Health Services Department

EXECUTIVE SUMMARY:

Council passed By-law No. 02-054, *A By-law to Regulate Smoking in Public Places and Workplaces*, on March 6, 2002. The By-law was passed to protect employees and members of the public from exposure to second-hand smoke. The By-law stipulates that DSRs built after the date the By-law was passed would need to meet the new requirements. This was done to avoid the construction of new DSRs under the less stringent requirements of the previous by-laws. Social and Public Health Services Department provided information to proprietors and the public in a timely manner. Public Health Inspectors have met with proprietors upon request to discuss the By-law's implications for their establishments and have evaluated each situation on its facts.

BACKGROUND:

Council passed By-law No. 02-054, *A By-law to Regulate Smoking in Public Places and Workplaces*, on March 6, 2002. The By-law includes new requirements for designated smoking rooms (DSRs) that offer employees and the public greater protection against exposure to second-hand smoke. To avoid the construction of new DSRs under the old, less protective requirements, the By-law stipulated that DSRs built after the date the By-law was passed would need to meet the new requirements.

The Smoking By-law Sub-committee's report to Council (December 11, 2001) highlighted the provision that DSRs built after the passage of the by-law would be required to meet the new requirements. The December 11 report was given to any persons who made inquiries about the proposed by-law; it was used in this manner until the certified copy of the final by-law had been prepared for distribution.

After passage on March 6, 2002, the new by-law was available in hard copy from the Clerk's office, the Social and Public Health Services Department (SPHSD), and in electronic form on the SPHSD website beginning March 7.

The content of the By-law was synthesised into three brochures targeted to the general public, proprietors of public places, and proprietors of workplaces respectively. The brochure for proprietors of public places was made available on the SPHSD website on April 11, was mailed to proprietors the week of April 16, and was made available at Municipal Service Centres that same week. Duplicate information packets were delivered to establishments by public health inspectors during their routine food inspections.

The public places brochure outlined the By-law's requirements for public places and directed proprietors to where they could access additional information. As it is difficult to provide sufficient information in a brochure to cover all possible scenarios, the brochure stated, “This guide provides an overview of Hamilton By-law No. 02-054 and is not intended to replace reference to the text of the By-law.” It also stated, “Obtaining a building permit to build a DSR does not guarantee that the room meets the requirements laid out in this By-law. Proprietors should also consult the text of the By-law regarding the specific requirements.”

The proprietor must interpret the By-law's application to his/her own establishment. Public health inspectors respond to questions about whether a particular plan meets the By-law, but avoid overstepping the bounds of legal propriety. This process is similar to the process used in the approval of plans for the construction of kitchens in restaurants. Inspectors review plans to let proprietors know whether or not they meet the requirements, but avoid providing advice that may lead to an assumption of responsibility or of risk.

Questions have arisen from a small number of establishments regarding whether or not their DSRs will be allowed to fall under the old requirements. In response, public health inspectors have met with the proprietors and have assessed each situation based on its facts. The By-law specifies that construction on DSRs must have been completed by March 6 in order to be permitted to operate under the old requirements. Inspectors therefore require evidence regarding the extent of the construction completed prior to March 6.

Questions have also arisen regarding the provision of service in DSRs. The By-law permits the full enclosure of a seating area for a DSR provided that its location is such that members of the public are not required to go through the DSR in order to gain access to a common area or public washroom. Furthermore, the By-law specifies that the DSR may not be located so that servers must pass through the DSR to serve patrons seated in the non-smoking area. It is therefore a legally sound interpretation that while the By-law does not prohibit service to patrons seated in DSRs, the By-law does not allow for the enclosure of a bar or other fixed service within a DSR.

The By-law exists in order to protect employees and patrons from exposure to second-hand smoke. With its phased-in approach the protections are neither immediate nor absolute. However, the fundamental principle at work during the phase-in is that it is valuable to reduce employees' exposures to second-hand smoke even if they cannot be eliminated entirely. If bar or service areas are located within DSRs, servers would need to access them regularly to serve patrons in non-smoking sections. Also, the bartenders would be exposed to second-hand smoke for their entire shifts. This would run counter to the purpose of the By-law and would serve to reduce or eliminate its benefit to the health of employees.

Several establishments have expressed their interests in building DSRs around their bar areas. The establishments have been informed of the City of Hamilton's interpretation of the By-law.

It may be useful for proprietors who have complaints to consider the following three points. Firstly, the Hamilton By-law is very moderate. Via the attentive work of the Smoking By-law Subcommittee and in its own final deliberations, Hamilton City Council has been very considerate of business concerns. The By-law provides businesses a number of options and has a graduated phase-in. This is in stark contrast to other municipalities that have chosen to go 100% smoke-free immediately upon by-law implementation without any allowance for designated smoking rooms. Secondly, businesses expressed consistently to City Council their concern for a "level playing field." A continued emphasis on ensuring an even application of the By-law is therefore paramount. Thirdly, proprietors may wish to reflect on their duty to provide safe and healthy working environments for their employees. The City of Hamilton hopes that proprietors would not wish to put their employees at higher risk for such negative health outcomes as lung cancer and heart disease.

ANALYSIS OF ALTERNATIVES:

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Legal Services has been involved at all steps of this process. The legal opinion has been provided that the interpretations of the By-law provided above are legally sound.

POLICIES AFFECTING PROPOSAL:

It is important for the City to be consistent in the application of By-law No. 02-054, both from the proprietors' concerns for a "level playing field" discussed above and from an administrative point of view. Movement away from consistency by allowing exceptions to the By-law would not set a favourable precedent and would almost certainly lead to additional requests.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Legal Services has been consulted on this matter.

CITY STRATEGIC COMMITMENT:

One of the goals of Vision 2020 is to "increase the number of years of good health for all citizens by reducing illness, disability, and premature death." Exposure to second-hand smoke has been linked to heart disease and lung cancer in non-smokers. Almost three-quarters of Hamilton's population are non-smokers. Nearly 50 non-smoking residents of Hamilton are estimated die each year from health problems caused by exposure to second-hand smoke. Children exposed to second-hand smoke are more likely to suffer from asthma, allergies, and ear infections. Protecting Hamilton's children and adults from exposure to second-hand smoke can help reduce the prevalence of these health problems. Employees in Hamilton workplaces can be involuntarily exposed to second-hand smoke for 35 to 40 hours a week, increasing their risks for lung cancers by as much as 50 to 100%.

SECTION 14

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

14.1

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Infrastructure & Environmental Planning

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng. General Manager
Date:	June 3, 2002	**Prepared by:**	Chris Murray Extension 2343

SUBJECT: **Mid Peninsula Highway (TOE02112) - (City Wide)**

RECOMMENDATION:

(a) That the Ministry of Transportation be asked to consult with the citizens of Hamilton on the Niagara Peninsula Transportation Needs Assessment Study findings and address community issues and concerns related to that study before initiating the Mid Peninsula Highway Environmental Assessment Terms of Reference.

(b) That when the aforementioned is complete Council pass a resolution confirming its position on the Needs Assessment Study.

(c) That the Ministry of Transportation be asked to design and implement a community consultation program for the Environmental Assessment Terms of Reference process that is more inclusive and responsive to stakeholder issues.

(d) That the Ministry of Transportation be asked to consider funding a 3 to 5 member Peer Review Panel of respected transportation and community planning leaders to consider Needs Assessment and Terms of Reference issues raised by all stakeholders and provide helpful advice to the Province before the Terms of Reference is submitted to the Ministry of Environment and Energy.

(e) That the Mayor invite the Chairs and senior staff of Niagara and Halton to meet at milestone events to discuss Mid Peninsula planning activities and provide cogent advice to the Province regarding the planning of this major transportation corridor.

(f) That a representative of the Ministry of Transportation be invited by staff to make a presentation to Hearing Sub-Committee on the Mid Peninsula Highway study.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

In April 2000, the Ontario Ministry of Transportation (MTO) initiated The Niagara Peninsula Transportation Needs Assessment Study in consultation with staff from the Region of Niagara and the former Region of Hamilton-Wentworth. It was understood at the time that boarder community consultation would be undertaken if the needs assessment study determined a major change to the provincial transportation system was technically warranted.

Results of this work were documented in an Executive Summary issued June 2001. Recommended transportation improvements included a new mid-peninsula four lane Highway connecting the QEW in Niagara between Niagara Falls and Fort Erie, westward south of the Hamilton International Airport, and then around Hamilton connecting to Highway 407 in Halton. Widening of the QEW is also recommended in the long term (i.e., after the Mid Peninsula highway is built).

MTO is now initiating the Needs Assessment review and developing the Environmental Assessment Terms of Reference for the Mid Peninsula highway. To ensure the timely completion of this work and the subsequent EA, it's important for this process to be inclusive, informative, responsive and transparent. To this end it is recommended that the City asks MTO to consider the following:

1. The Ministry of Transportation consult with the citizens of Hamilton on the Niagara Peninsula Transportation Needs Assessment Study findings and address community issues and concerns related to that work before initiating the Mid Peninsula Highway Environmental Assessment Terms of Reference. The Needs Assessment Study should be regarded as the foundation upon which the Terms of Reference are built. Overlapping the two exercises may undermine the integrity of the planning process.
2. When the aforementioned is complete Council should pass a resolution confirming its position on the Needs Assessment Study. At this point staff and the community will be in a position to offer fully informed opinions on the need for a new highway and the expansion of the QEW.
3. That the Ministry of Transportation design and implement a community consultation program for the Environmental Assessment Terms of Reference process that is more inclusive and responsive to stakeholder issues. With the need established, route-planning activities must be responsive to the natural, social, economic, cultural and technical issues that a new roadway will generate. The City's recommendation is meant to build on the Ministry's proactive approach to consultation.
4. That the Ministry of Transportation consider funding a 3 to 5 member Peer Review Panel of respected transportation and community planning leaders to properly consider Needs Assessment and Terms of Reference issues raised by all stakeholders and provide helpful advice to the Province on how to move forward. This will serve as a sign to decision-makers that the process was inclusive, informative, responsive and transparent.
5. That the Mayor invite the Chairs and senior staff of Niagara and Halton to meet at milestone events to discuss Mid Peninsula planning activities and provide cogent advice to the Province regarding the planning of this major transportation corridor.

Co-operation amongst the major municipal governments will be key to the efficient and effective resolution of this transportation planning initiative.

6. That a representative of the Ministry of Transportation be invited by staff to make a presentation to Council on the Mid Peninsula Highway study. This will provide Council an opportunity to better understand how the Needs Assessment and EA Terms of Reference processes will meet the needs of our citizens.

BACKGROUND:

The information/recommendations contained within this report have City wide implications.

In April 2000, the Ontario Ministry of Transportation (MTO) initiated The Niagara Peninsula Transportation Needs Assessment Study in consultation with staff from the Region of Niagara and the former Region of Hamilton-Wentworth.

Results of this work were documented in an Executive Summary issued June 2001 describing the technical need, justification, and proponency for transportation improvements through the Niagara Peninsula. In total, MTO identified 44 short, medium and long-term recommendations. Recommended improvements included roadways, transportation systems management, travel demand management and transit, passenger rail service, and ferry service. As indicated the "centrepiece" is a new mid-peninsula four lane roadway connecting the QEW in Niagara between Niagara Falls and Fort Erie, westward south of the Hamilton International Airport, and then around Hamilton connecting to Highway 407 in Halton.

Over the short term (immediate to 2005), MTO will consult with the community on the Needs Assessment Study findings and complete an Environmental Assessment (federal and provincial) to determine the preferred route location for the mid peninsula roadway. Once approved, MTO, with private sector assistance, is expected to proceed with the staged implementation of the project with tentative completion by 2011.

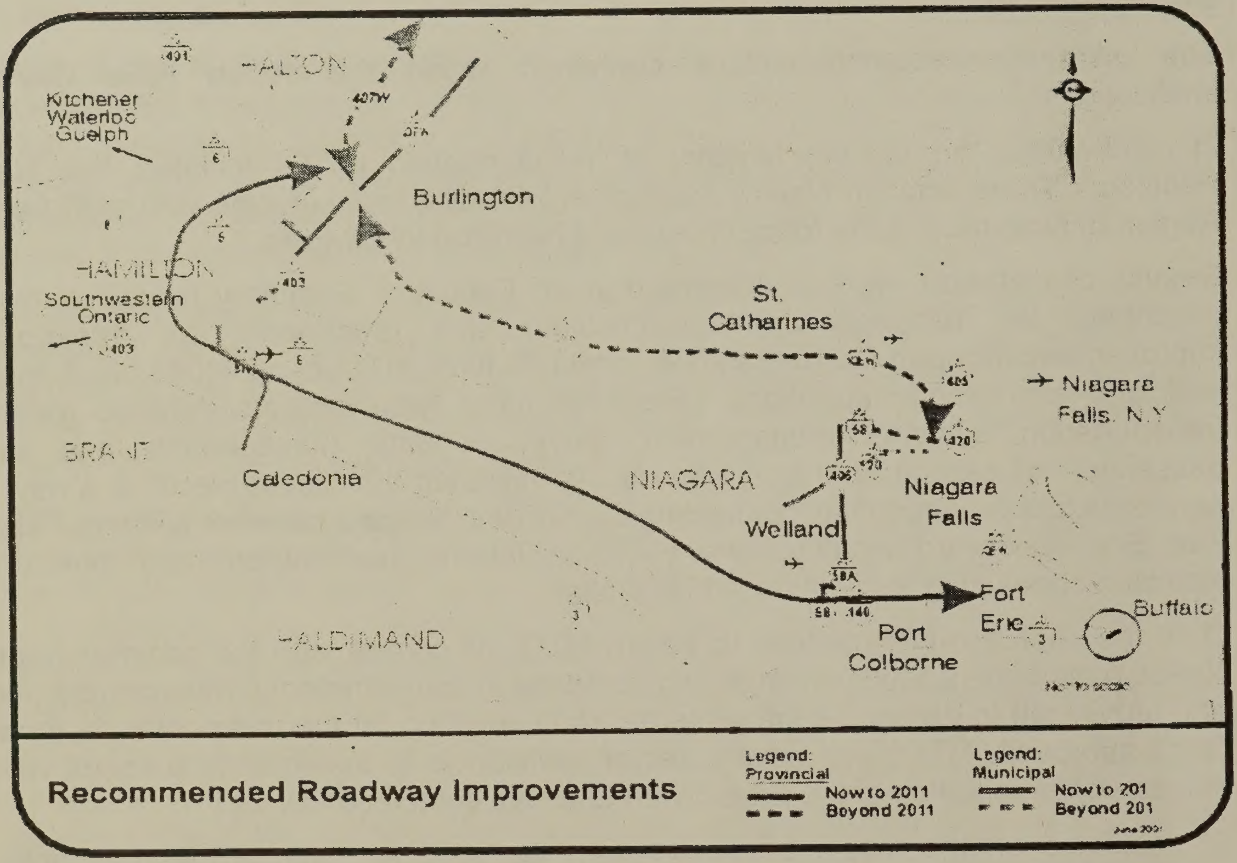
As indicated on the map (see next page), the solid line with arrows describes the approximate location of the mid peninsula roadway corridor. The final location of this corridor (and possible alternatives) is currently under review as part of the Needs Assessment Study and environmental assessment Terms of Reference (see discussion below).

The Need Assessment Study concludes that the mid-peninsula roadway will be required along with strategic upgrades of the QEW from Niagara Falls to Highway 403 to accommodate travel demand and to facilitate reliable goods movement, within, and through the study area. It is recommended that the mid-peninsula roadway be constructed first and that strategic improvements to the QEW be made over the longer term.

In March 2002, MTO met with the Municipal Advisory Group (MAG), a group of upper and lower tier municipalities from Niagara, Hamilton and Halton, including the Niagara Escarpment Commission and Conservation Authorities, to initiate the EA Terms of Reference (TOR) process. MTO expects that after government agency/public consultation, the TOR will be submitted to the Ministry of Environment for approval this November. Once approved by the Minister, the TOR becomes the guide for selecting a preferred mid-peninsula route. As for the Federal EA process, MTO and representatives of the Canadian Environmental Assessment Agency are currently discussing what type of study will be required (i.e., comprehensive vs. screening) and how it will be undertaken.

Complete the Needs Assessment Study

As stated by MTO, the TOR phase of the EA will involve a review of the Needs Assessment Study findings. A complete set of supporting technical reports were issued to the Region of Niagara, City of Hamilton and Region of Halton at the March 2002 MAG meeting. With all the information now in hand, City staff has retained a lead consultant to peer review this material. The City of Burlington has expressed interest in cost sharing the peer review function. Similar partnership offers have been made to Niagara and Halton. Staff will submit an overview of these technical reports and recommendation report to Council after the review is completed.


401
HALTON
Kitchener
Waterloo
Guelph
407W
QEW
6
Burlington
6
HAMILTON
403
Southwestern
Ontario
403
6
St.
Catharines
405
Niagara
Falls, N.Y.
58
420
20
406
BRANT
Caledonia
NIAGARA
Niagara
Falls
Welland
58A
58
140
3
Fort
Erie
3
Buffalo
HALDIMAND
Port
Colborne
Not to scale
Legend:
Provincial
Now to 2011
Beyond 2011
Legend:
Municipal
Now to 201
Beyond 201
June 2001

Recommended Roadway Improvements

Hamilton staff believes that the municipal partners need co-ordinated input to this project. With this objective in mind, Hamilton staff organised and held a meeting April 4th with the municipal representatives and MTO to discuss improvements that could be made to the TOR process. Comments from the meeting revealed some confusion over the relationship between the Need Assessment Study and EA Terms of Reference.

As stated by MTO, the Needs Assessment Study represents the "homework" that has been completed to support moving forward with an Individual Environmental Assessment for the Mid Peninsula Highway. The EA Terms of Reference is intended to focus on highway corridor planning considerations such as the evaluation of corridor alternatives and not whether or not a highway is needed or if other modes of transportation could address the shortfall in long term transportation capacity in the

Niagara Peninsula. Subject to review, the latter should be properly addressed in the Need Assessment Study.

The current overlapping of these two distinct processes is confusing and could ultimately undermine the integrity of the planning process. Staff therefore recommends that consultation on the Need Assessment Study findings are completed before the EA Terms of Reference begins.

When the aforementioned is complete Council should pass a resolution confirming its position on the Needs Assessment Study. At this point staff and the community will be in a position to offer fully informed opinions on the need for a new highway.

Environmental Assessment Terms of Reference Consultation and Panel Review funding.

MTO has retained a consortium of consultants to assist with the preparation of an EA Terms of Reference for the Mid Peninsula Highway. MTO is committed to consultation and has asked members of the Municipal Advisory Group to review and comment on the consultation approach MTO is taking with the EA Terms of Reference. This kind of request is proactive and should be regarded as a clear indication of MTO's desire to be inclusive and responsive to stakeholder issues.

With the need established, route-planning activities must be responsive to the natural, social, economic, cultural and technical issues that a new roadway will generate. MTO's approach to consultation can be enhanced by the recommendations described in this report.

The purpose of a provincially funded Panel Review is to provide constructive advice to the MTO on the planning merits of the Needs Assessment Study and EA Terms of Reference. The precise make-up and role of the Panel Review should be developed and managed by the Municipal Advisory Group but at a minimum this respected group would monitor stakeholder input to the MTO planning process and provide, at an appropriate time, a series of forums for all stakeholders to express ideas, concerns and issues. The Panel itself should be comprised of 3 to 5 individuals respected for their leadership in the fields of transportation and community planning. The advice they would provide directly to MTO would be based on stakeholder input and their own respected knowledge of planning. This kind of third party review forum is used in projects where high degrees of community concern are likely to occur.

This unprecedented approach would help demonstrate to approval agencies and the public at large that the planning process is inclusive, informative, responsive and transparent. Finally, it would provide an alternative venue for people to raise issues and ideas that may be best considered by a neutral panel of respected individuals.

Municipal Co-operation

The planning of a major transportation route that spans three regional municipalities will generate both lasting positive and negative land use consequences for all. A process that aims to understand and resolve the issues of all municipal participants will be key to the timely resolution of this planning exercise. To achieve this end, the Mayor should invite the Chairs and senior staff of Niagara and Halton to meet at milestone events to discuss Mid Peninsula planning activities and provide cogent advice to the Province regarding the planning of this major transportation corridor. Co-operation amongst the major municipal governments will be key to the efficient and effective resolution of this transportation planning initiative.

ANALYSIS OF ALTERNATIVES:

Alternatives to consulting first on the Needs Assessment Study followed by the EA Terms of Reference include: continuing with the two assignments in parallel (MTO's current approach); or consulting on the Terms of Reference now with the understanding that the Needs Assessment Study would be reviewed during the first phase of the EA.

MTO's Current Approach

As expressed earlier, the former is already considered confusing and is arguably inconsistent with the way in which the Ministry of Environment expects Terms of References to be prepared. Thus this approach could very well delay the approval of the Terms of Reference.

Defer the Needs Assessment Review until the EA is underway

This approach offers little in the way of scoping the EA to matters that the MTO appears to prefer such as determining the preferred location of the Highway corridor (as opposed to reproving the need for and alternatives to a new highway, which the Needs Assessment Study has arguably addressed). The one benefit to this approach however could be its compatibility with the Canadian Environmental Assessment Act (CEAA) should a comprehensive study be required (i.e., an EA review of project need, alternatives to and designs in accordance with federal criteria). In a recent discussion with MTO it appears that talks with the federal government indicate that a screening (or screenings) under CEAA is the present expectation of staff.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial - funds to undertake the peer review is included in the 2002 budget.

Staffing - staff from Transportation, Operations and Environment and Planning and Development have been jointly participating in this undertaking for over a year.

Legal - N/A

POLICIES AFFECTING PROPOSAL:

Completion of the Mid Peninsula Highway will have a significant impact on the City's long term growth strategy and directly impact the policies of the Official Plan and Regional Transportation Review.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Robert Shamess - Transportation, Operation and Environment Department.

CITY STRATEGIC COMMITMENT:

Council's Strategic Plan requires decision-making to be based on the principles of sustainable development. The Ontario Environmental Assessment Act and Canadian Environmental Assessment Act require proponents and responsible authorities to give consideration to the key components of sustainable development before approving a proposed undertaking or issuing a required permit. MTO's Mid Peninsula Highway is being planned in accordance with both planning statutes and will therefore address our sustainable development considerations.

AFFECTS
WARD 4

CITY OF HAMILTON

14.2

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Roads and Traffic

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager
Date:	May 28, 2002	**Prepared by:**	Leanne Ryan Extension 5925

SUBJECT: **Craigroyston Road & Lucerne Avenue - Request for All-Way Stop Control (TOE02101) - (Ward 4)**

RECOMMENDATION:

That the existing eastbound and westbound stop control on Lucerne Avenue at Craigroyston Road be retained.

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

EXECUTIVE SUMMARY:

Through Councillor Merulla, a resident in the Glenview West Neighbourhood expressed concern that vehicles on Craigroyston Road should be required to stop at Lucerne Avenue instead of having the right-of-way currently allocated. The issue of vehicle speeds on Craigroyston Road approaching the intersection was also noted as a secondary concern. Staff were subsequently directed to consider the installation of all-way stop control at Craigroyston Road and Lucerne Avenue. The intersection was reviewed through an analysis of vehicle and pedestrian volumes, surrounding street network, on-site observations and collision history. The delay experienced by pedestrians and stop controlled traffic on Lucerne Avenue is negligible, and the five year collision history is more than acceptable. Staff recommends that all-way stop control not be installed, but rather the existing stop control on Lucerne Avenue remain.

BACKGROUND:

The information/recommendations contained within this report primarily affect Ward 4.

The Traffic Engineering office has received a request from an area resident, forwarded through Councillor Merulla's office, for all-way stop control at the intersection of Lucerne

Avenue and Craigroyston Road. The resident specifically expressed concern that elementary school children walking on Lucerne Avenue cross Craigroyston Road without the protection of stop control. The request for all-way stop control was suggested as a means to assist pedestrians and to reduce operating speeds on Craigroyston Road.

Eastbound and westbound traffic on Lucerne Avenue is required to stop for northbound and southbound traffic on Craigroyston Road. Left and right side stop signs are posted on Lucerne Avenue and are clearly visible. Motorists stopped on Lucerne Avenue are able to view traffic approaching on Craigroyston Road for an acceptable distance. A traffic count conducted during the morning peak hour shows low vehicle volumes on Lucerne Avenue and Craigroyston Road. Pedestrian volumes are moderate with no delay experienced in crossing the intersection.

The focal point of the all-way stop request is the citizen's concern regarding the safety of elementary school children crossing Craigroyston Road. However, as our study has determined, the volume of traffic on Craigroyston Road is minimal, approaching cars are visible, and this intersection is similar in nature to most residential intersections throughout the City. It is not feasible to install all-way stop control at every intersection on a school walking route. From a safety perspective, for intersections such as this, it is not unreasonable to suggest that parents or caregivers take appropriate measures to ensure that their children's journey to school is safe.

There has been one reportable collision at the intersection within the past five years. This is an excellent collision record and indicates that the existing intersection control is operating effectively.

Therefore based on the above-average collision history, minimal vehicle/pedestrian delay and on-site observations, it is recommended that the existing east-west stop control on Lucerne Avenue at Craigroyston Road be retained.

We note for information that the property owner on the south-west corner of the intersection has been requested to trim a hedge that is considered a minimal sight line hindrance for motorists eastbound on Lucerne Avenue looking south towards King Street.

ANALYSIS OF ALTERNATIVES:

All-way stop control is intended to assist in allocating right-of-way to drivers and pedestrians, or to reduce the collision potential at intersections exhibiting a high frequency of angle type collisions. The installation of unwarranted stop control increases driver disrespect of stop signs, and ultimately will increase the potential for collisions at all stop-controlled intersection in the City. Unwarranted all-way stop control locations will also increase the demand on the Hamilton Police Services for enforcement of "fail to stop" infractions.

Staff have talked with the concerned resident regarding vehicle speeds and it was determined that operating speeds on Craigroyston Road are likely not exceeding the maximum permitted 50 km/h. The resident was advised of the various options available to address neighbourhood speeding concerns:

- Enforcement of vehicle speeds from the Hamilton Police Services
- Resident participation in the Neighbourhood Speed Watch Program
- Reporting of aggressive drivers using the Hamilton Police Services road rage hotline

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

POLICIES AFFECTING PROPOSAL:

The recommendation to maintain the existing east-west stop control at the intersection of Lucerne Avenue and Craigroyston Road is based on the guidelines noted in the "Installation Policy for All-Way Stop Control at Intersections".

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

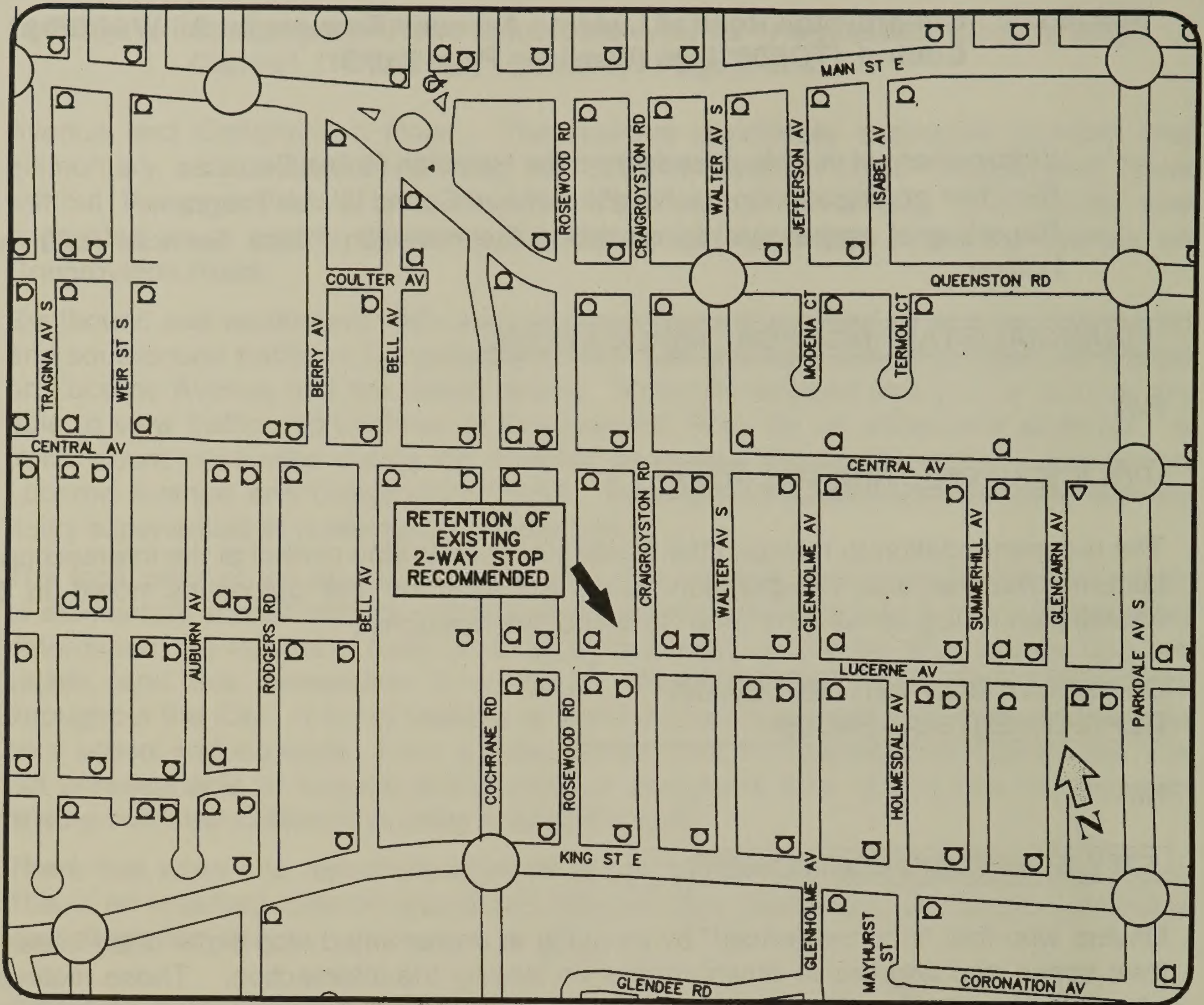
N/A

CITY STRATEGIC COMMITMENT:

Drivers who feel “inconvenienced” by stopping at unwarranted stop signs often increase their speed and aggressive driving habits on leaving the intersection. Those motorists who perform a “rolling stop” develop a pattern of stop control disrespect at intersections throughout the City of Hamilton. This leads to the potential for increased collision occurrences with other vehicles, cyclists and pedestrians.

Installing stop control also results in increased vehicle emissions and fuel usage. Although the volume of traffic on Craigroyston Road is considered low, requiring northbound and southbound motorists to stop will contribute to reduced air quality.

Attached: Key Map


MAIN ST E
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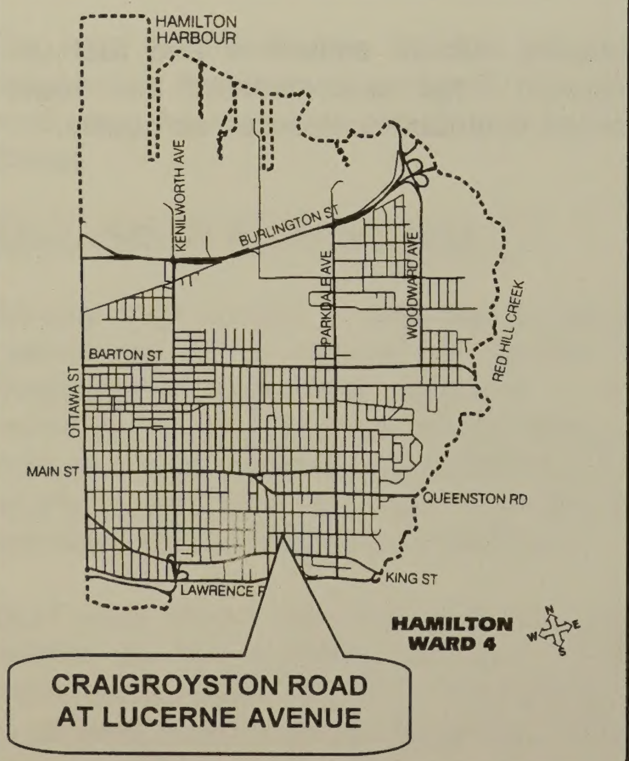
CRAIGROYSTON RD
WALTER AV S
JEFFERSON AV
ISABEL AV
QUEENSTON RD
COULTER AV
TRAGINA AV S
WEIR ST S
BERRY AV
BELL AV
MODENA CT
TERMOLI CT
CENTRAL AV
CENTRAL AV
RETENTION OF EXISTING 2-WAY STOP RECOMMENDED
CRAIGROYSTON RD
WALTER AV S
GLENHOLME AV
SUMMERHILL AV
GLENCARN AV
PARKDALE AV S
AUBURN AV
RODGERS RD
BELL AV
LUCERNE AV
COCHRANE RD
ROSEWOOD RD
HOLMESDALE AV
N
KING ST E
GLENHOLME AV
MAYHURST ST
GLENDEE RD
CORONATION AV

KEY MAP


HAMILTON HARBOUR
KENILWORTH AVE
BURLINGTON ST
PARKDALE AVE
WOODWARD AVE
RED HILL CREEK
BARTON ST
OTTAWA ST
MAIN ST
QUEENSTON RD
KING ST
LAWRENCE R
HAMILTON WARD 4
N
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W
CRAIGROYSTON ROAD AT LUCERNE AVENUE

LOCATION PLAN

ALL-WAY STOP CONTROL REQUEST:
CRAIGROYSTON ROAD
AT
LUCERNE AVENUE

CITY OF HAMILTON
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND

➡ SUBJECT INTERSECTION

RECOMMENDED		EXISTING	
●	TRAFFIC SIGNAL	○	TRAFFIC SIGNAL
●	STOP SIGN	◯	STOP SIGN
▼	YIELD SIGN	▽	YIELD SIGN

SCALE
NOT TO SCALE

DATE
2002-06-03

REFERENCE FILE NO: **TOE02101**

SECTION 15

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

15.1

FINANCE & CORPORATE SERVICES
Budgets and Fiscal Policy &
TRANSPORTATION, OPERATION & ENVIRONMENT
Waste Management

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo General Manager, Finance & Corporate Services & Peter Crockett, General Manager, TOE
Date:	May 27, 2002	**Prepared by:**	Tom Hewitson x 4159, Scott Stewart x 4409, Blair Smith x 4770, Mike Zegarac x 2739

SUBJECT: **Solid Waste Collection Tax Exemption and Rebate Policies (City Wide)(FCS02067/TOE02099)**

RECOMMENDATION:

a) THAT FCS02067/TOE02099, "Solid Waste Collection Tax Exemption and Rebate Policies", be received for information.

b) THAT staff continue to explore the possibility and resulting financial/tax impacts of implementing tax exemption and/or tax rebate policies for properties not receiving waste collection services for the 2003 Budget process.

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations and Environment

EXECUTIVE SUMMARY:

On March 8, 2002 a draft of this report was presented to the Solid Waste Management Municipal Planning Steering Committee. Comments and concerns resulting from this consultation have been incorporated into the final report.

In the Fall of 2001, Council approved TOE01118a, "Uniform Waste Collection Service Levels – Harmonization of Waste Collection Services". This included direction that for 2002, properties excluded from municipal waste collection (ineligible properties) be provided a tax exemption and that staff explore a tax rebate program for Multi-Residential and Commercial properties that arrange for private waste management collection service. Essentially, ineligible properties were industrial properties, shopping centres and commercial/industrial properties with four or more floors.

Currently, all tax classes are levied for waste management services, regardless of whether they actually receive these services. In effect, the majority of property taxpayers in the Industrial, Shopping Centre and Office Building tax classes are paying twice for their waste management services; their private contractor and municipal property taxes. This is common practice among municipalities in Ontario.

Based on an analysis of the ineligible properties and collection data for eligible properties who have arranged private service, staff have developed two distinct taxation proposals. For ineligible properties in the Industrial, Shopping Centre and Office Building property tax classes, staff have investigated a tax exemption policy. Under this option, these classes would not be billed for waste collection and operating costs of waste disposal facilities.

A waste management tax exemption policy for all industrial properties, shopping centres and office buildings, would result in property tax savings of about $2.8 million for these properties. Of course, these costs would have to be picked up by the other tax classes, predominately the residential class. This shift would cause about a 1% or $20 increase to the average residential property. Given the serious financial and budgetary constraints facing the City, staff recommended deferral of this option for the 2002 Tax Budget. This recommendation was brought before the SWMMP Advisory Committee in March and was approved.

For ineligible properties within the rest of the commercial classes (there are very few), as well as all commercial and multi-residential properties that arrange for private waste management service, they are taxed for all services. Council requested that staff explore the possibility of providing a tax rebate program for these properties. Based on current data, a rebate program for these properties would result in tax savings of about $609,000 for these properties. These costs would have to be picked up by the other tax classes, predominately the residential class. This shift would cause about a 0.2 or $5 increase to the average residential property. As in the case of the tax exemption, a tax rebate program was not recommended due to the financial and budgetary constraints facing the City in 2002.

The adoption of a waste management tax exemption policy and a waste management tax rebate program would have a negative financial impact of approximately 1.2% or $25 on a residential property assessed at $155,000. At this time, staff anticipate consideration of these policies for inclusion in the 2003 tax budget process.

For 2002, waste management services will continue to be taxed on the general tax levy. This would continue the practice of taxing commercial and industrial properties not receiving waste collection services. Additionally, in accordance with TOE 1118a, all industrial, commercial and institutional properties not identified as an eligible property would have their municipal waste collection service discontinued in 2002. The majority of ineligible properties are not currently receiving municipal collection. Staff have committed to providing Council a list of ineligible properties currently receiving collection services, prior to ceasing collection activity.

BACKGROUND:

The Garbage Collection and Waste Management Task Force's report "Garbage Collection and Waste Management Services for the New City", presented to the chairman and members of the Transition Board, contained a series of recommendations relating to garbage collection and waste management services for the City of Hamilton. The Task Force recommendations were reviewed by staff through a consultative process with stakeholders and Council. Final recommendations were incorporated in to the "Uniform Waste Collection Service Levels – Harmonization of Waste Collection Services Report" (TOE01118a).

Within this report, staff recommended that municipal waste collection service to all industrial, commercial and institutional properties not identified as an eligible property, be discontinued in 2002. As well, that all levied collection, diversion and disposal costs be entirely removed from the 2002 property tax bill with the exception of development and/or maintenance costs for future, current and closed disposal facilities.

These recommendations were premised on the consideration that those customers receiving waste management services should finance them. Based on this consideration of equity, customers not receiving collection and disposal should likewise not be expected to be levied for these services. These properties would still be responsible for other waste management costs including costs for future, current and closed disposal facilities. Closed landfill sites for example, exist at no fault of any one sector of the community but are a result of waste generated in the past from residents and businesses alike.

Property Tax Exemption

Currently, costs for waste management services are part of the general tax levy. All property tax classes are levied for these costs. The majority of the properties in the Industrial, Shopping Centre and Office Building property tax classes arrange for private waste collection services. This is the result of previous municipal by-laws excluding them from service and operational efficiencies desired by these businesses.

In 2001, waste management staff set out to identify the number of properties considered ineligible under the recommendations within TOE01118a, and to identify the number of those ineligible properties which currently are recipients of municipal waste collection. A majority of the properties considered ineligible for municipal waste collection under recommendation b) of Report TOE01118a, did not receive municipal waste collection during the period of the survey.

For example, large industrial properties will not be eligible for municipal waste collection. During the period of the survey only 15% of large industrial properties were recipients of curbside municipal waste collection. The table below identifies the results of the waste management survey.

Customer Class	Number of Properties Receiving Waste Collection	Total Number of Properties	% of Total Properties Receiving Waste Collection
Ineligible Properties			
Large Industrial	6	39	15%
Industrial	145	522	28%
Office Buildings	3	14	21%
Shopping Centres	18	112	16%
Eligible			
Multi-Residential	1494	1792	83%

Two inequities exist with respect to waste management taxation and services. As indicated, some are taxed but do not receive the service. Also, within the above property tax classes, there was inconsistency with respect to who was receiving service. Council has dealt with the issue of who should receive service. Everyone in the above property classes would be ineligible for service with the exception of Multi-Residential. All ineligible properties will continue to be taxed but will not be entitled to municipal waste collection service in 2002. At this time, staff anticipate consideration of a tax exemption policy and/or tax rebate program for inclusion in the 2003 tax budget process. Report TOE01118a recommended that in the case of ineligible properties, all levied collection, diversion and disposal costs be entirely removed from the 2002 property tax bill with the exception of development and/or maintenance costs for future, current and closed disposal facilities. A review of the waste management budget was undertaken to identify costs based on the waste management services described above. Costs associated with development and/or maintenance costs for future, current and closed disposal facilities are considered applicable to all customer classes and hence considered as general levy costs. Costs associated with collection, diversion and disposal are to be recovered by those properties eligible for municipal waste collection as defined in Report TOE01118a (see table below). This would appear on their municipal tax bill as a special levy charge.

IMPACT OF TAX EXEMPTION BY PROPERTY CLASS

Property Class	Tax Exemption Impact
Residential and Farm	**$2,791,000**
Multi-Residential	$0
Commercial - Residual	$0
Commercial - Office Building	($61,350)
Commercial - Parking Lot	$0
Commercial – Shopping	($930,430)
Total Commercial	**($991,780)**
Industrial – Residual	($570,600)
Industrial – Large	($1,275,470)
Total Industrial	**($1,846,100)**
Other	$46,850
TOTAL	**$0**

As identified above, the possible savings to the industrial properties, shopping centres, and office buildings property classes is approximately $2.8 million. These costs are shifted to the remaining property tax classes, primarily the residential properties. The impact of this tax shift would be an increase of approximately 1.0% or $20, based on a property with an assessed value of $155,000.

The tax exemption policy could be a significant component to Hamilton's Business Tax Reduction plan in 2003 (it would be difficult to accommodate in 2002 as the City moves towards reducing tax ratios). There is the potential that Province would match the $2.8 million in tax reductions through equivalent reductions in the business education tax rates.

Tax Rebate Program

Staff were asked to explore and report back to Council regarding options for a waste management tax rebate program or similar functioning program for multi-residential and commercial properties that arrange for private waste collection services. The difference between a rebate program and the previously explained tax exemption is that the tax exemption policy applied to entire property tax classes which are not going to receive service. The tax rebate option has been considered for certain ineligible properties (a few commercial properties) and properties who would have the option of receiving service municipally or privately.

Essentially, properties that chose to receive waste collection services privately, would be eligible for a tax rebate based on the waste collection special levy charge. Currently, there are about 102 commercial properties that would be deemed ineligible for collection (more than four floors) and that would be eligible for tax rebates totalling $180,000 or about $1,700 per property. In addition, there are about 298 multi-residential properties that currently provide for their own service. Assuming these properties continue with this practice, they could be eligible for rebates totalling about $609,000.

Customer Class	Estimated # of Properties Applying for Rebate	Total Number of Properties	Cost of Rebate
Ineligible Properties			
Commercial (four floors or more)	102	102	$180,000
Properties Eligible for Rebate			
Multi-residential	298	1,792	$429,000
Commercial * (less than four floors)	0	5,457	0
Total Cost			$609,000

* Note - We would not allow commercial properties with four floors or less to opt out because of the difficulties in monitoring and policing collection for these properties.

It should be noted that there would be some minor costs involved in administering a tax rebate program. These costs would not be significant and have not been included in the analysis at this time.

Special Charge for Ineligible Properties Requiring Municipal Collection

An option for Council's consideration would be to provide collection services to ineligible properties on a fee for service basis. Since the ineligible properties in the Industrial, Shopping Centre and Office Building classes would be tax exempt, service could not be provided to these properties without cost recovery. The charge would be based on the Waste Collection Special Levy and the properties' assessed value. For ineligible properties in the Commercial property tax class (about 102 properties), those properties could request service and forgo the tax rebate described above.

Taxation and Service Issues for Trailer Park Homes

Staff were asked to investigate taxation and service issues related to trailer park home communities. These properties are generally assessed as one property within the residential tax class. The contention is that, in general, the property is under assessed in relation to the number of actual residences within the complex. Staff are currently consulting with the assessment office to ensure that everything possible is done to assess these properties appropriately.

Also, there are service issues with respect to waste collection at these properties. Some former municipalities were providing door to door service within the trailer park communities. This level of service does correlate with how the property is assessed. Staff will be working with these properties to move from door to door service to one collection area (similar to multi-residential).

ANALYSIS OF ALTERNATIVES:

Taxation Regardless of Service

For the 2002 tax budget, staff recommend an alternative to the Tax Exemption Policy and/or Tax Rebate Program which is a continuation of the status quo in taxing for waste management, thereby not exempting any properties nor providing any eligibility for a rebate. Ineligible properties would continue to contribute to the cost of the municipal waste collection program but would not receive the service.

There is a rationale for the status quo. There are many services that property taxpayers' contribute to but do not receive a direct service. Social and Public Health programs, transit, culture and recreation programs and education services, are all examples of programs which all property tax classes are taxed but may not receive a perceived benefit. The only difference with waste collection is that it is a service that many businesses pay for twice, through municipal taxes and private contract.

A number of municipalities were surveyed as to whether they have a waste management tax exemption policy and/or tax rebate program for properties not entitled to municipal waste collection service (see consulting with relevant departments/ agencies below). Of the municipalities surveyed, only one indicated that they provided tax exemptions and/or a rebate program. At that, it was only directed to the multi-residential sector. Another, that had a multi-residential rebate program, discontinued the program in 2001.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The table below summarizes the potential property tax savings for various property tax classes and the resulting impact on the residential taxpayer.

THE FINANCIAL IMPACT OF TAX EXEMPTION AND REBATE PROGRAM

Tax Exemption Policy

Commercial – Office Building	$61,350
Commercial – Shopping	$930,400
Industrial	$1,846,100
Total Tax Exemption Policy	**$2,837,850**
Impact on an average residential property	***$20 or 1.0%***

Tax Rebate Program

Multi-Residential (not currently recipients)	$429,000
Commercial – Residual (4 floors or greater)	$180,000
Total Tax Rebate Program	**$609,000**
Impact on an average residential property	***$5 or 0.2%***

Total Exemption Policy and Rebate Program	**$3,446,850**
Impact on an average residential property	***$25 or 1.2%***

POLICIES AFFECTING PROPOSAL:

N/A

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

On March 8, 2002 a draft of this report was presented to the Solid Waste Management Municipal Planning Steering Committee. Comments and concerns resulting from this consultation have been incorporated into the final report.

Municipal Comparators

A number of comparator communities were surveyed as to whether they provided a tax exemption and/or rebate for properties not entitled to waste collection within their respective communities. The results of that survey are provided in the table below.

Municipality	Status of Tax Exemption and/or Rebate Program	Comments
Barrie	None	
Belleville	None	
Brantford	None	
Guelph	N/A	
Halton	Rebate program	Town of Oakville has an apartment rebate program in place. All apartments in Oakville are taxed for waste management services. However, units that are unable or are electing to not be serviced by the municipal front-end collection program are eligible for a rebate based upon a prescribed formula premised on the number of units.
Niagara	None	
Ottawa	None	
Peel	None	
Toronto	None	
Waterloo	None	No ICI rebate program was offered by the area municipalities, or is provided by the Region. Some area municipalities did offer a rebate to multi-residential buildings, but during the 2001 budget process, Council decided to discontinue the multi-res rebates effective July 1/01.
Whitby	None	

CITY STRATEGIC COMMITMENT:

Council's recent strategic plan identified improving commercial and industrial competitiveness as a top priority. A tax exemption policy for industrial and commercial properties improves their ability to compete both locally and globally. In addition, there is the potential to receive matching contributions from the Province and double the economic benefit to the commercial and industrial sector. However, at issue is timing and the City's ability to afford these changes in 2002.

Excluding all ineligible properties would support the city's goal of diverting 65% of solid waste from incineration and landfill. Forcing ineligible properties to move from public to private sector waste collection, moves these properties to a user fee based cost recovery system. This can influence the mass of solid waste generated, as well as the rate of diversion and the practice of material recovery.

AFFECTS WARD 11

15.2

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS AND ENVIRONMENT
Infrastructure and Environmental Planning
and
FINANCE AND CORPORATE SERVICES
Budget and Fiscal Policy Services

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Peter M. Crockett, P.Eng., General Manager Joe Rinaldo General Manager
Date:	May 28, 2002	**Prepared by:**	Gavin Norman, P.Eng. Extension 2433

SUBJECT: **Municipal Act Project - Sanitary Sewer on Seabreeze Crescent and McNeilly Road (FCS02066/TOE02098) - (Ward 11)**

RECOMMENDATION:

(a) That the installation of a sanitary sewer on Seabreeze Crescent from Glover Access Road easterly to McNeilly Road, and south on McNeilly Road to North Service Road proceed pursuant to Section 221 and Subsection 210(85) of the Municipal Act at an estimated gross cost of $566,000, to be recovered in total from benefitting property owners if and when they connect to the system, as provided for in Capital Budget Item No. 5169725764;

(b) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the necessary full cost recovery and construction by-laws; and

(c) That the installation of the sanitary sewer be co-ordinated with approved works to replace watermain on Seabreeze Crescent (Capital Budget Item No. 5140063021).

Peter M. Crockett, P.Eng., General Manager
Transportation, Operations & Environment

Joe Rinaldo, General Manager
Finance and Corporate Services

EXECUTIVE SUMMARY:

The purpose of this report is to authorize the preparation of the necessary construction and full cost recovery by-laws under the Municipal Act for the installation of a sanitary sewer on Seabreeze Crescent and McNeilly Road (Ward 11). This authorization will allow the project to proceed in conjunction with watermain replacement on Seabreeze Crescent.

BACKGROUND:

The former Region of Hamilton-Wentworth initiated the installation of a sanitary sewer on Seabreeze Crescent and McNeilly road in 1995 on the basis of the Health Department's general concern for health and the environment in old, developed areas near the lakeshore in the former City of Stoney Creek. This action was initiated as part of a larger project that resulted in sanitary sewer installations across the QEW that would facilitate future sewer extensions to these neighbourhoods.

The Health Department's 1995 review of septic systems for 33 homes on Seabreeze Crescent and three homes on McNeilly Road indicated a justification for sanitary sewers based on observed conditions, the age of the existing septic systems, and information provided by residents. "The major concern in the area is with those residences located along the shore of the lake." (source: 1995 Health Department condition assessment for septic systems on Seabreeze Crescent)

Construction of the project was planned for 1998; however, the installation was contingent on the construction of a sanitary sewer on Glover Access Road and the acquisition of an easement through a residential property at the junction of Glover Access Road and Seabreeze Crescent. With the sewers on Glover Access Road being constructed in 2000 and the easement required for the extension of sewers on Seabreeze acquired in 2001, the project can now proceed.

The estimated construction cost is $566,000 including private drain connections. Following the requirements of Section 221 of the Municipal Act, the City is able to recover 100% of the project cost from abutting property owners except for private drain costs. Costs for private drains will be recovered following requirements of Subsection 210 (85) of the Act.

The affected property owners will be notified by the Department of Finance and Corporate Services of the planned works. The notification will include the estimated costs attributed to each owner and information regarding the process to be followed for connection to, and payment for, the works.

ANALYSIS OF ALTERNATIVES:

The sanitary sewer installation shall be co-ordinated with the watermain replacement on Seabreeze Crescent (Capital Budget Item No. 5140063021). Approval of the recommendations contained in this report will ensure a co-ordinated approach to the construction that will reduce overall project costs through economies of scale.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The project cost (see Appendix "A"), financed up front by the City, as grandfathered in Report TOE02005 (Funding Methodologies for Municipal Infrastructure Extensions), shall be recovered from benefitting property owners at their time of connection. As per Report TOE02005, the owners' share of the project has been calculated assuming an equal benefit to each existing lot or future lot abutting the project (future lots based on existing draft Plans of Subdivision and the Trillium Neighbourhood Plan). Appendix B illustrates the assumptions used to assess future development. Based on these assumptions, the cost to property owners is approximately $5,625 for each serviceable lot. This does not include the $2,000 fee per private drain connection.

Final cost allocations, owner share, are subject to actual construction costs.

POLICIES AFFECTING PROPOSAL:

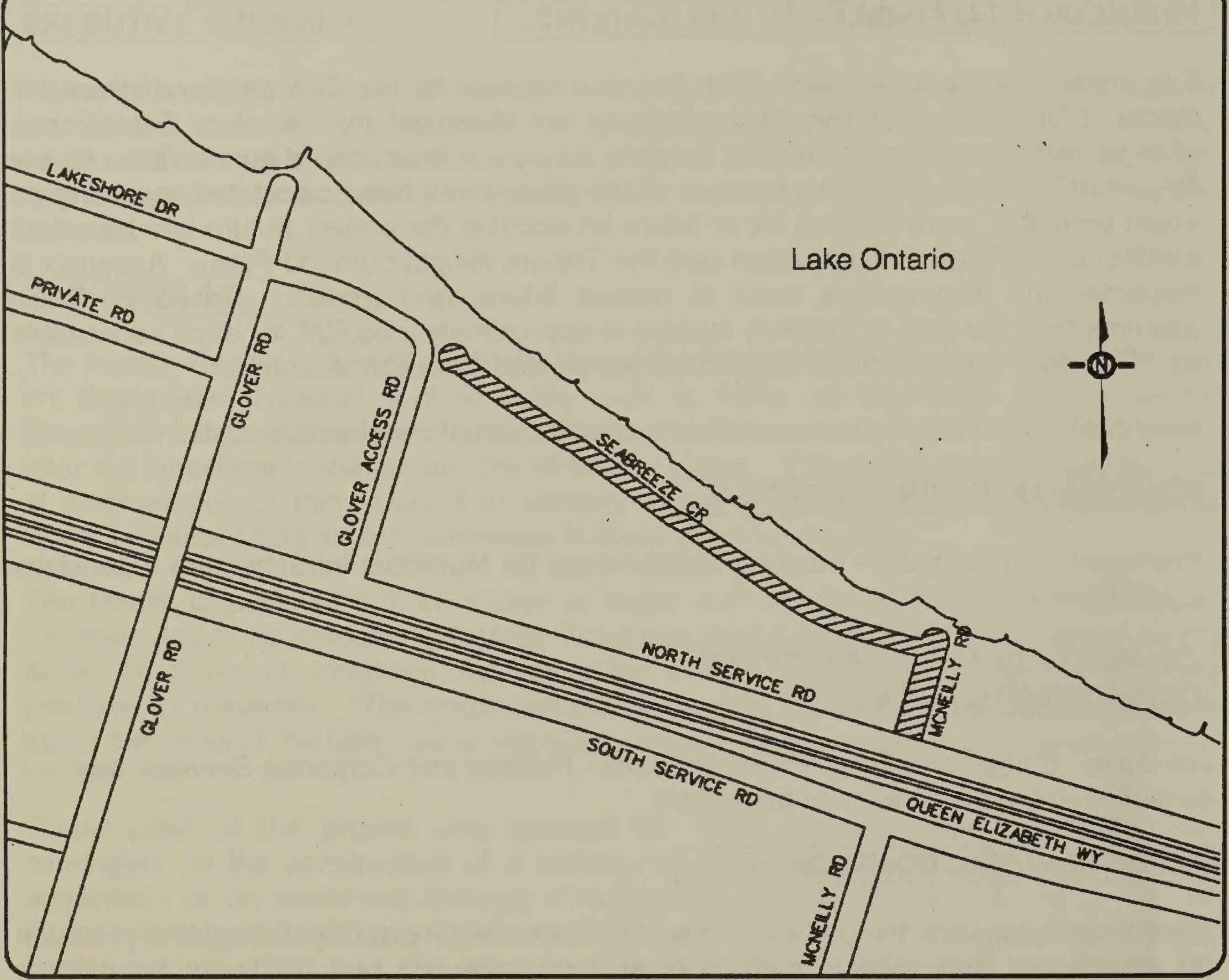
Proposed cost recovery - Funding Methodology for Municipal Infrastructure Extensions (TOE02005).

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

Joe Spiler, Budget and Fiscal Policy Services - Finance and Corporate Services was consulted in the preparation of this report.

CITY STRATEGIC COMMITMENT:

This project supports the goals of A Healthy, Safe and Green City through the provision of an efficient and suitable method of sewage collection and treatment for existing residential development.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PRIVATE RD
GLOVER RD
GLOVER ACCESS RD
SEABREEZE CR
MCNEILLY RD
NORTH SERVICE RD
SOUTH SERVICE RD
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GLOVER RD
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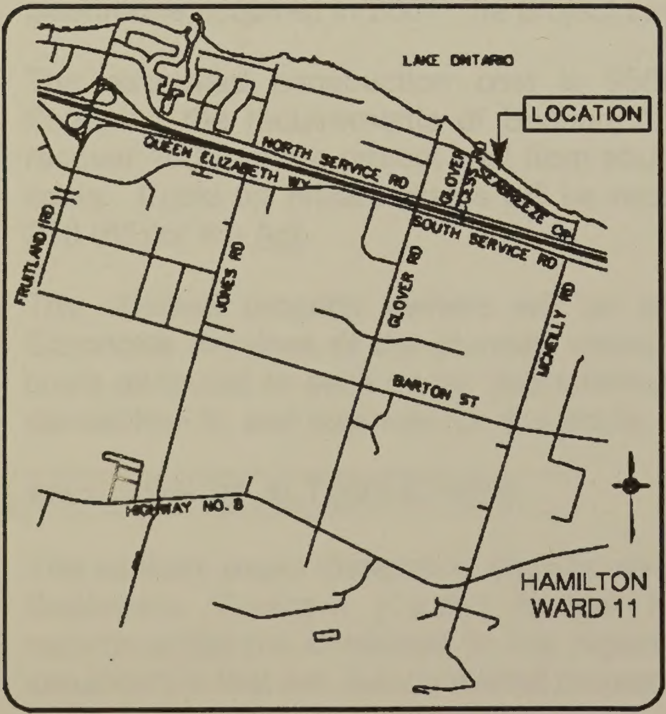

LAKE ONTARIO
LOCATION
NORTH SERVICE RD
QUEEN ELIZABETH WY
GLOVER ACCESS
SEABREEZE CR
SOUTH SERVICE RD
FRUITLAND RD
JONES RD
GLOVER RD
MCNEILLY RD
BARTON ST
HIGHWAY NO. 8
HAMILTON
WARD 11

Location Plan

Sanitary Sewer on Seabreeze Crescent
and McNeilly Road

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS AND ENVIRONMENT

Legend

▨ Location of Project

Scale:	Date:
NOT TO SCALE	JUNE 2002

APPENDIX "A"

COST SUMMARY

Municipal Act Section 221
And Subsection 210(85)

Project Description: Seabreeze Crescent from Glover Access Road easterly to McNeilly Road, and south on McNeilly Road to North Service Road

Estimated Project Cost - Gross: $ 450, 000

Construction Cost Apportionment:

		SANITARY	STORM	WATER
Owner's Share	100%	$ 450,000		
City's Share	0%	$0		
Subtotal		**$ 450,000**		

Private Service Connections:

		SANITARY	STORM	WATER
Sanitary	56 @ $ 2,000	$ 116,000		
Storm	@			
Water	@			
Subtotal		**$ 116,000**		
Total		**$ 566,000**		

Percentage of Cost Attributed to:

	SANITARY	STORM	WATER
a) New Growth - Residential:	50%		
b) New Growth - Non Residential:			
c) Existing Development:	50%		
d) Oversizing:			

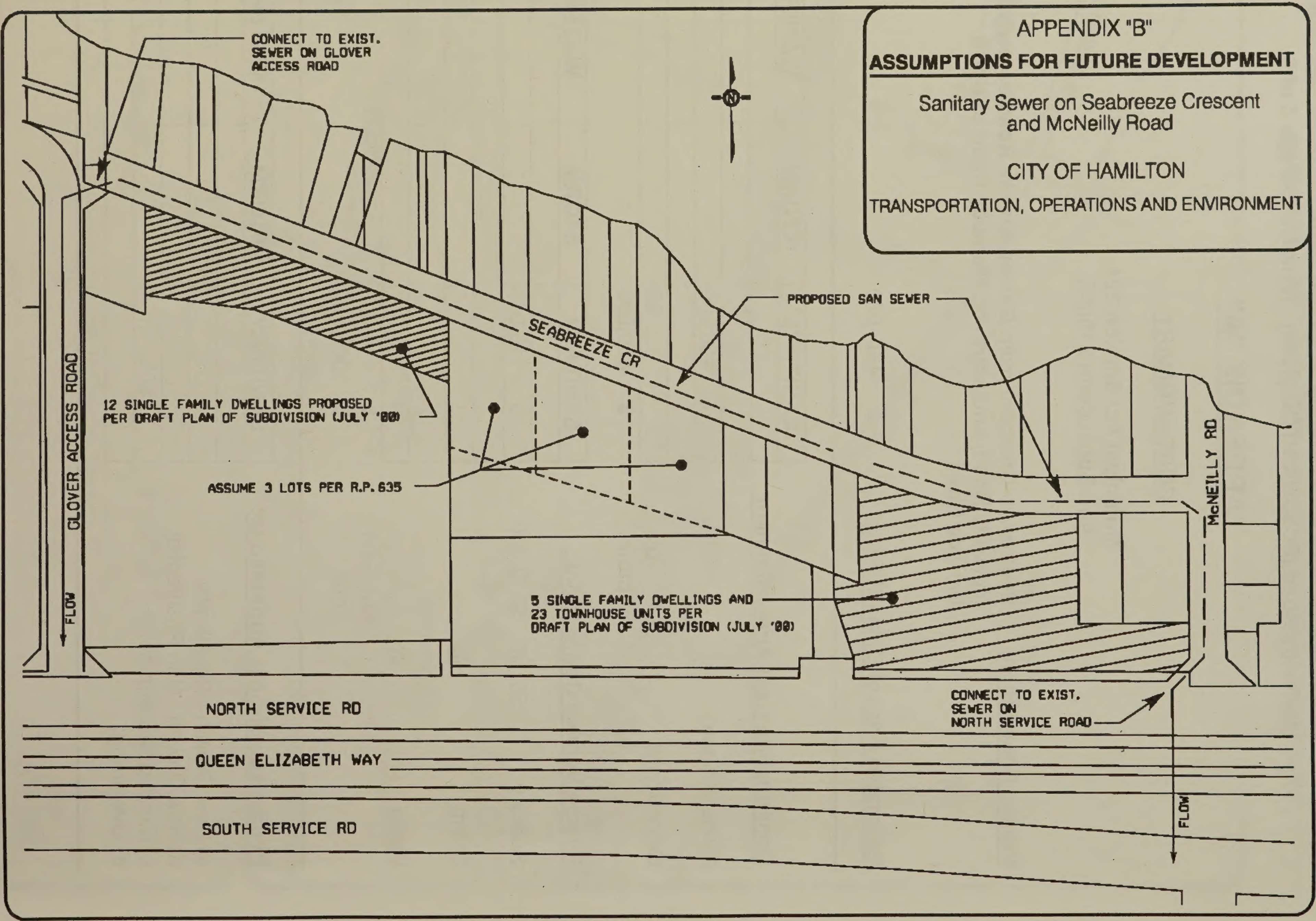
APPENDIX "B"

ASSUMPTIONS FOR FUTURE DEVELOPMENT

Sanitary Sewer on Seabreeze Crescent
and McNeilly Road

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS AND ENVIRONMENT


CONNECT TO EXIST. SEWER ON GLOVER ACCESS ROAD
N
PROPOSED SAN SEWER
SEABREEZE CR
12 SINGLE FAMILY DWELLINGS PROPOSED PER DRAFT PLAN OF SUBDIVISION (JULY '00)
ASSUME 3 LOTS PER R.P. 635
GLOVER ACCESS ROAD
FLOW
McNEILLY RD
5 SINGLE FAMILY DWELLINGS AND 23 TOWNHOUSE UNITS PER DRAFT PLAN OF SUBDIVISION (JULY '00)
CONNECT TO EXIST. SEWER ON NORTH SERVICE ROAD
NORTH SERVICE RD
QUEEN ELIZABETH WAY
SOUTH SERVICE RD
FLOW

AFFECTS
WARD 8

CITY OF HAMILTON

15.3

TRANSPORTATION, OPERATIONS & ENVIRONMENT
Infrastructure & Environmental Planning
and
COMMUNITY SERVICES
Corporate Buildings and Real Estate
and
PLANNING & DEVELOPMENT
Development

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Betty Matthews-Malone Acting General Manager Barry B. Coopersmith General Manager Lee Ann Coveyduck General Manager
Date:	June 3, 2002	**Prepared by:**	Gavin Norman Extension 2433

SUBJECT: Approval to Expropriate for Sewer Easement South of Stone Church Road - Upper James Street to West 5th Street (TOE02113/CS02054/PD02121) - (Ward 8)

RECOMMENDATION:

(a) That the Director of Legal Services be authorized and directed to proceed with the necessary steps to expropriate an easement over the following lands:

Municipal Address	Owner	Description
1400 Upper James Street City of Hamilton	Rencoast Holdings Inc.	Part 2 Plan 62R-16120 (Registered Reference Plan) PIN #16912-0017 (LT)
1041 West 5th Street City of Hamilton	Ramey, Kenneth Nichol	Part 1 Plan 62R-16120 (Registered Reference Plan) PIN #19612-0018 (LT)

For the purposes of sanitary and storm sewer installations.

(b) That the Director of Legal Services or his agent prepare, and the City Clerk sign, an Application for Approval to Expropriate by the City of Hamilton to Council for an easement over the lands shown as Parts 1 and 2 on 62R-16120 (Registered Reference Plan), for the purposes of installing sanitary and storm sewers;

(c) That the Application of the City of Hamilton, signed by the City Clerk, to expropriate an easement over Parts 1 & 2 on 62R-16120 (Registered Reference Plan), be authorized and that the said Application be hereby received and that the Director of Legal Services be authorized and directed to cause the necessary notices in this application to be served on the registered owners of the lands affected and, for advertisement of the said Notice of Expropriation to be placed in The Hamilton Spectator, or other local newspaper, for three (3) consecutive weeks;

(d) That the Director of Legal Services be authorized to forward to the Chief Inquiry Officer any Request for Hearings received and to report to Council such information;

(e) That, in the event no requests for hearings are received, the General Manager of Transportation, Operations and Environment be authorized to introduce the Expropriation By-Law to City Council;

(f) That the Manager of Real Estate, Corporate Buildings and Real Estate Division, be authorized to obtain external appraisals of the lands if and when necessary; and

(g) That all the costs of the expropriation be split evenly and charged to following Capital Budget Item Nos.:

5169880833 West 5th Street Sanitary Sewer (Municipal Act project)
5180025085 West 5th Street Storm Sewer (Municipal Act project)

Betty Matthews-Malone, Acting General Manager
Transportation, Operations & Environment

Barry B. Coopersmith, General Manager
Community Services

Lee Ann Coveyduck, General Manager
Planning & Development

EXECUTIVE SUMMARY:

The subject easement extends from an existing easement along the northern limit of the property at 1400 Upper James Street (White Rose Plaza) across to West 5th Street (see location map).

The easement is necessary in order to facilitate the construction of a sanitary sewer for residents on West 5th Street between Rymal Road and 130m south of Stone Church Road, many with failing septic systems. In addition to providing sanitary service to existing residents, the extension of a sanitary sewer will facilitate planned future development along West 5th Street and lands to the west. The easement will also accommodate storm sewer required for the possible urbanization of West 5th Street and planned development along the street. To date negotiation to acquire this easement from two property owners has been unsuccessful and therefore it is recommended that expropriation proceedings commence.

BACKGROUND:

Based on a Health Department review of septic systems on West 5th Street in 1994, the former Region proposed the installation of a sanitary sewer in the Mewburn Neighbourhood as a Local Improvement type project after only about 20% of systems were found to be operating properly. The proposed sewer would extend from the existing outlet within an easement along the northern limit of the property at 1400 Upper James Street across to West 5th Street within the subject easement and then southerly to Rymal Road within the existing West 5th road allowance.

The easement will also accommodate storm sewer required for the possible urbanization of West 5th Street and planned development both along, and west of, the street.

The construction of both a sanitary and storm sewer was originally included in the 1997-2006 Capital Budget submission and staff from the Real Estate Section, Corporate Buildings and Real Estate Division initiated the acquisition of the easement in 1998. Numerous attempts to acquire the lands for the easement have been made without success. In addition to market value offers to the two owners, the alignment has been revised several times in an effort to achieve a successful acquisition. Unfortunately due to the lack of progress in the City's negotiations and the ongoing concern with sewage, it is recommended that expropriation actions commence immediately to acquire the required easement in order that construction of the sewers can proceed.

During the expropriation process, staff from Real Estate will continue attempts to negotiate a satisfactory acquisition of the lands from the two property owners in an effort to avoid the hearing.

ANALYSIS OF ALTERNATIVES:

An investigation into alternative routes for the sewers have been undertaken, however none have proven feasible for technical and/or financial reasons.

The location of the proposed easement over the currently zoned residential lands has been set to optimize the future development potential of lands on the east side of West 5th Street. The proposed location, if converted to a public roadway in the future, would allow for the creation of lots along the rear of the existing residential properties that front onto Stone Church Road.

However, it should be noted that it is unclear at this time, due to an undefined development pattern for lands south of the proposed easement, that the easement itself will be a future road allowance. If the easement does not form part of a future road allowance, the surface of the easement will have to remain accessible at all times, for future maintenance, rehabilitation or replacement of the underground sewers.

The alignment of the proposed easement will require that the existing Neighbourhood Plan showing residential land uses, be modified; however, it should also be noted that there has been an expressed interest to develop these lands as commercial. If this work is to happen, the proposed easement location would minimise the impact on the development potential of the lands on the east side of West 5th Street.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Capital Budget Item Nos.:

- 5169880833 West 5th Street Sanitary Sewer (Municipal Act project); and
- 5180025085 West 5th Street Storm Sewer (Municipal Act project)

to make Official Offers of Compensation for the subject property and to fund an independent real estate appraisal of the subject lands.

Following the requirements of Section 221 and Subsection 210 (85) of the Municipal Act, which gives the municipality the ability to recover 100% of project costs, an apportioned cost for the easement shall be assumed by the benefitting property owners following installation of, and connection to, the sewers on West 5th Street. Full cost for the easement shall be assumed by benefiting property owners and via future development supported by the infrastructure.

POLICIES AFFECTING PROPOSAL:

Proposed cost recovery - Funding Methodology for Municipal Infrastructure Extensions (TOE02005).

The recovery of costs for the acquisition of the easement and ultimate construction of sanitary and storm sewers through this easement is subject to requirements of Section 221 and Subsection 210 (85) of the Municipal Act. Prior to the construction of these sewers, Council will be presented with a recommendation to approve the works as a City Initiated project under the Municipal Act including the mechanisms for cost recovery from benefitting property owners. Following the approval from Council, residents will have the opportunity to petition against the project. As a result, although it is generally understood that the majority of residents want the sewers, there is a risk that the easement costs may not be recovered if the project is successfully petitioned against.

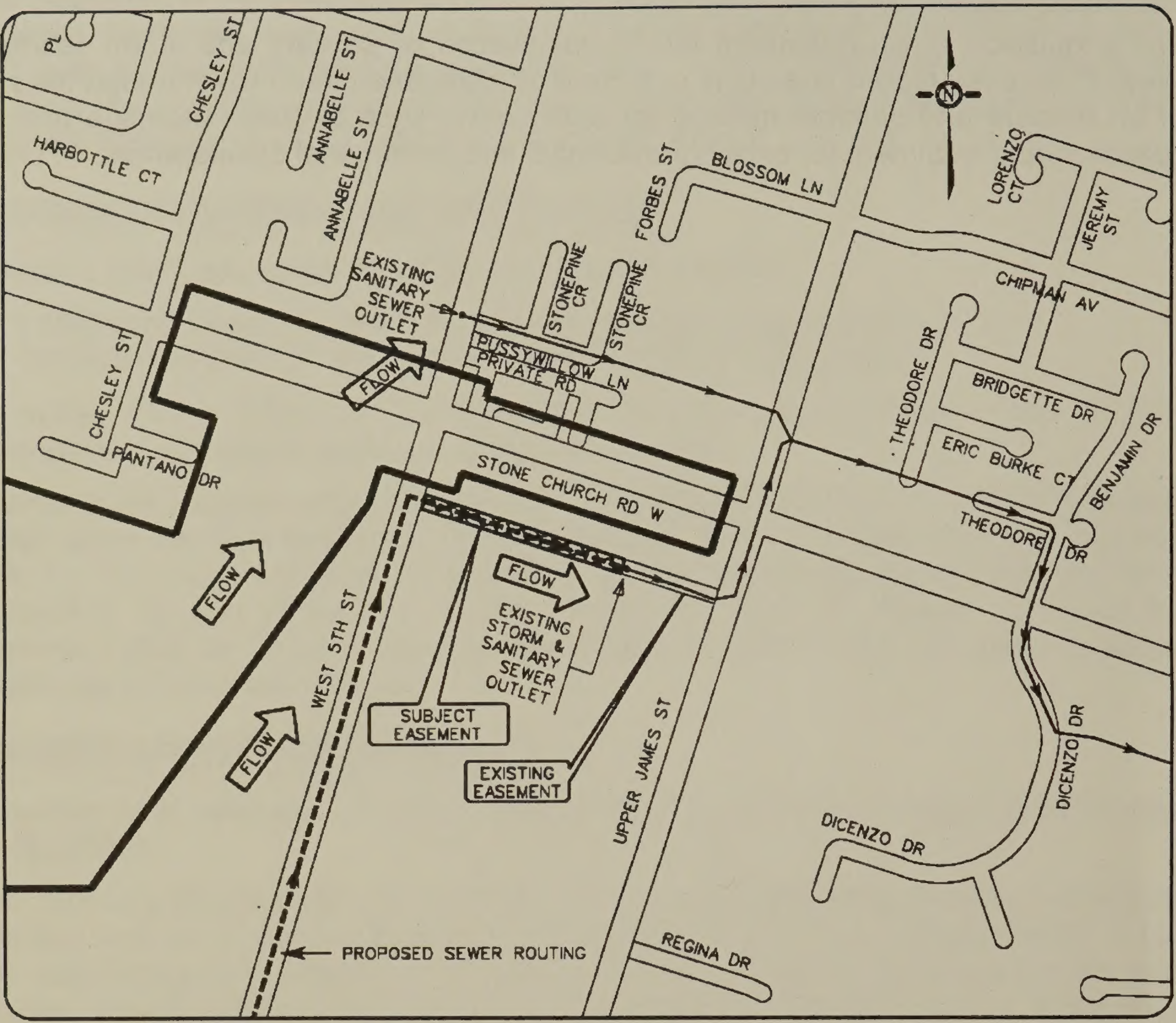
CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The following were consulted in the preparation of this report:

- Joe Spiler, Manager, Budget and Fiscal Policy, Finance and Corporate Services
- Helen Vastis, Assistant Corporate Counsel, Legal Services & Corporate Counsel, Finance & Corporate Services
- Kevin Nutley, Manager, Real Estate Section, Corporate Buildings and Real Estate Division, Community Services
- Sally Yong-Lee, Manager of Development Engineering, Planning and Development

CITY STRATEGIC COMMITMENT:

The acquisition of an easement for the installation of sanitary and storm sewers along West 5th Street supports the goals of a Healthy, Safe and Green City through the provision of an efficient and suitable method for both conveyance of storm drainage and sewage collection and treatment for existing residential and institutional development.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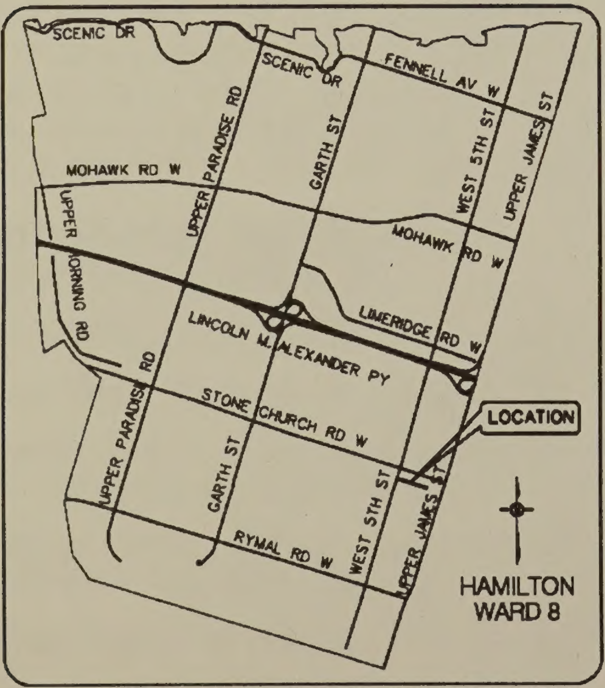
PROPOSED SEWER ROUTING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UPPER PARADISE RD
STONE CHURCH RD W
LOCATION
GARTH ST
WEST 5TH ST
UPPER JAMES ST
RYMAL RD W
HAMILTON
WARD 8

Location Plan

Expropriation of Sewer Easement
south of Stone Church Road -
Upper James Street to West Fifth Street

CITY OF HAMILTON

TRANSPORTATION, OPERATIONS AND ENVIRONMENT

Legend

▨	Subject Easement
- - ▸ - -	Proposed Sewer Routing
—▸—	Existing Sanitary Sewer (Schematic)
▬	Sanitary Drainage Area Boundary

Scale:
NOT TO SCALE

Date:
JUNE 2002

CITY WIDE IMPLICATIONS

CITY OF HAMILTON

15.4

FINANCE AND CORPORATE SERVICES
Budgets and Fiscal Policy Services

and

PLANNING AND DEVELOPMENT DEPARTMENT
Development Planning Division

Report to:	Mayor and Members Committee of the Whole	**Submitted by:**	Joseph L. Rinaldo, General Manager Lee Ann Coveyduck General Manager
Date:	June 4, 2002	**Prepared by:**	J. Sheehy 546-4108 T. Hewitson 546-4159 M. Zegarac 546-2739

SUBJECT: Proposed 2002 User Fee Changes (FCS02071/PD02123)(City Wide)

RECOMMENDATION:

THAT the approved 2002 User Fees (FCS020036, Appendix 2-11) be amended as per Attachment One to FCS02071/PD02123, "Proposed 2002 User Fee Changes".

Joseph L. Rinaldo, General Manager
Finance & Corporate Services

Lee Ann Coveyduck, General Manager
Planning and Development Department

EXECUTIVE SUMMARY:

During the 2002 budget process, a number of program reduction options were presented to Council. Staff developed additional fee adjustments that would achieve the required revenue targets. These fees were communicated to the development community. The Hamilton Halton Home Builder's Association (H.H.H.B.A) endorsed the increases in fees rather than accept a reduction in service levels. Unfortunately, this endorsement was not received in time to include the detailed user fee increases in the 2002 Tax Budget document. However, within the Budget, total revenues for Planning and Development do reflect the increased revenue. These fees are being recommended to Council effective May 1, 2002. A list of the required revisions to the approved user fees (FCS020036, 2-11) are found in Attachment One to this report.

BACKGROUND:

Each year departments are responsible for ensuring that user fees are reviewed against the accuracy of costs incurred, thereby incorporating any significant increases or decreases in operating budgets. Each of the municipal planning and development services sections were analyzed to determine the costs and revenues associated with the supply of their respective services. The user fees approved during the budget process reflect this analysis, with the exception of those in Attachment One to this report. The proposed revisions reflect further analysis of service costs and consultation with the development community.

ANALYSIS OF ALTERNATIVES:

In an effort to set user fees to implement the principle of full cost recovery, all departments have reviewed their user fees against the accuracy of the costs incurred. The alternative of not approving the proposed user fee changes will result in a shortfall in projected revenue through the respective user fees.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable

POLICIES AFFECTING PROPOSAL:

Not Applicable

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:

The proposed amendments were developed by the Planning & Development department. As indicated,, Planning & Development Services surveyed the development community to determine their preferences with respect to user fees and corresponding levels of service. The majority preferred higher user fees to maintain or enhance levels of service.

CITY STRATEGIC COMMITMENT:

Not Applicable

Attachment One
to FCS02071/PD02123

RECOMMENDED CHANGES TO THE 2002 APPROVED USER FEES AND CHARGES

Dept ID	Account #	Service Offered	2001 Actual Fee	2002 Approved Fee	2002 Proposed Fee	2002 Proposed vs. 2001 Actual % Fee Change
812015	45631	Condominium Processing Fees – Final Approval and Registration	$550	$570	$1,000	81.80%
812015	45631	Engineering Design Review & Agreement Preparation – Final Approval and Registration	$750	$770	$1,000	33.33%
812015	45631	Special Agreements – Lot Grading Agreements	$400	$510	$1,000	150.00%
812015	45692	Special Agreements – Special Sewer/Water Agreement	$2,000	$2,050	$2,100	5.00%
812015	45692	Special Agreements – Joint Water Sewer Agreement	$2,000	$2,050	$2,100	5.00%
812015	45631	Design Review Engineering – Engineering Approvals and Agreements	$4,000	$4,200	$4,500	12.50%

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ADDITIONAL INFORMATION FOR THIS EVENING'S

SPECIAL MEETING OF THE COMMITTEE OF THE WHOLE

Open Session

5. Selection Process for filling Executive Council Vacancies pages 5-3 – 5-4
9. Edmonton Trip Report – pages 9-48 – 9-49

Please add this information to your agenda package.

Special Meeting - Committee of the Whole
June 27, 2002

#5-3

SELECTION PROCESS FOR FILLING EXECUTIVE COUNCIL VACANCIES

1. The Human Resources Executive Officer will provide in-service to trustees regarding interviewing and proper hiring practices and will manage the process.

2. At the conclusion of the posting period, the Board will decide either to:
   (a) interview all candidates or
   (b) shortlist a number of candidates based on resumes.
   (c) engage a consultant to aid in selection process..

3. If 1. (b) is chosen a date will be picked by the Board for shortlisting purposes. The number of candidates shortlisted will be at the discretion of trustees present for the shortlisting process. All trustees are eligible to participate in the process and there will be a minimum number of 6 trustees.

4. Whether 1. (a), 1. (b) or 1. (c) is chosen, the Board will then decide on a date for candidate interviews. All trustees are eligible to be members of the interviewing team.

5. The Director shall provide a review of all reference checks for each candidate before that candidate is interviewed.

6. The Director shall be a non-voting member of the interview team.

7. Decisions will be based on the following:
   - experience
   - scope, complexity and nature of achievements
   - reference checks
   - performance in the interview

8. At the interview, the trustees present may
   (a) decide to re-interview two or more candidates
   (b) make a decision about which candidate to recommend to the Board
   (c) delay the decision to a later date mutually chosen
   (d) select no candidate

9. Only trustees present for all interviews have the right to vote on the decision.

10. Voting Procedures
    (a) After completing the interview process, discussion of candidates by trustees will take place.
    (b) The selection of the successful candidate will be made by a show of hands.
    (c) If no candidate receives a majority vote on the first vote, the candidate with the least votes will be eliminated and the voting will continue until a successful candidate is chosen.
    (d) In the event of a tie vote in the selection of the successful candidate, further discussion may take place before a second vote. In the event of a second tie vote, the final two candidates will be re-interviewed.

11. If re-interviews are necessary, an appropriate date to re-interview specific candidates will be decided by trustees present for the first interview session. Any trustee may be present for the second interview session but only trustees present for both interviews may vote on a final selection since both interviews may have a bearing on the outcome. Once a selection is made, it must be accepted by the Board.

12. If 8. (c) is followed, trustees on the interviewing team will decide to selection one of 8. (a), 8. (b) or 8. (d) when they re-convene.

13. If 8. (d) is followed, candidates will be so informed and the Board will begin the process again.

14. The recommendation to the Board will be final and binding and will be approved unanimously by Board resolution.

Dovercourt: alternative program **Bilingual Mandarin**

The school is also a district site for children with a two year delay in language and literacy in Grade 4,5, and 6, who have no behavior issues. 14 students, 1 EA

Demographics: 325 students, 150 are in the Mandarin Bilingual program. K to 6 school. Boundaries for the mandarin program include the central downtown, and the principal felt that in many respects this was an inner city school. Children in both programs were needy. There were several low rise apartment buildings nearby, and the Chinese students often came from very poor circumstances, living in cramped quarters, and being cared for by Chinese grandparents who spoke no English. Students arriv3e at school with no English. However, the school did not receive funding for inner city children.. The school did run a snack program, provided clothing and was linked to child welfare assistance. There was a child care center in the school, with wrap around services for the children attending. Without the Mandarin program the school would have been closed. There was a link to downtown immigration services. Saturday morning school (Heritage languages). NO social worker. This is the only Mandarin program with inner city issues/. Local church sends had knitted scarves and toques. Employs 12 lunch assistants: has a co-ordinator who hires and supervises them.

Physical Setting Built in the 50s; large playing fields. Newly renovated, and apparently this has attracted students. Attractively painted frieze on the walls had been designed by the students with the help of an art consultant from the Board. One of the motifs is used as the school logo. Originally had no windows, and these had just been added. Strange triangular shaped rooms for computer and library. Surroundings, single family homes, commercial area, and low rise apartment buildings and town houses. Had a lovely large music room. Active library with a technician who told me she had worked as a librarian in a public library. Amortized computer lab. Special detention room (although may have been used for something else as well. 8-10 students sitting in it at recess were not Chinese.(When I asked about it the principal replied : "I cannot stand bullying"). IN the school the children had socks or bare feet. Their shoes were neatly lined up on shelves at the entrances to the school

Criteria for Entrance; Open to all. There were two Caucasian students whose parents taught Asian studies at the University. If the child has a low I.Q. the child may be discouraged from continuing. There is a school psychologist who speaks Mandarin. By the end of September will review those students who are already struggling.

Program: This is not an immersion program. 50% only of the day is spent in using Mandarin. Students can move on to three bilingual mandarin programs in Junior High schools, and some continue to the International Baccalaureate programs at the High school where there is a mandarin program. .The Edmonton Chinese Educational Association meets with the principal once a month. It had started funds for scholarships. Majority of the parents do not speak English. There are no extra ESL resources until grade 4, although at the start of school 25% of the children do not speak English. The school uses University and college students to assist the ESL program.

The teachers all hold Alberta teaching qualifications. One teachers speaks Japanese as well as Mandarin, two have Cantonese and mandarin and the EA also speaks Cantonese. The EA works in the community, and is respected. Has a computer and an office and works also on translations, a newsletter and as an interpreter.

Same literacy program I had seen in all the schools was being used in the Mandarin program although with Chinese characters. The Grade 1 teacher told me proudly the children could read in English and in Mandarin. The kindergarten class wee enjoying active action songs in Chinese.

Alternative programs enrich the school: The whole school takes part in Chinese New Year activities. The children are divided up into family groupings, regardless of the program they are in. The Grade 5 program works together regardless of which program the children attend. The Chinese brush painting class after school on Fridays is open to all in the school

All students in the school get 100 minutes of music a week: use music for language development. Have a senior choir. Saw a large assortment of instruments: recorders, ukuleles, percussion. When I visited students were learning staff notation. Looked a very strong program.

Community The program had not been well accepted by the local non-school community. Seniors were particularly outraged. However, there is a very active parent group and I was showed the parents' work room with parents working there. The room included a computer. The parents' Association is called PANDA. Works as a non-profit group for the whole school. 6-7 Chinese families are also involved.

Challenges For the principal: principal had a Ukrainian, French Immersion background.

- The Chinese students pick on the Caucasian children, as their Mandarin is better, and this is a loss of face. But there are no issues between the Mandarin program and the other students.
- Resources are missing: would like to be able to write small books for use in the Mandarin program.
- The staff al got along very well together. However, amongst the Chinese parents there was a problem , as they regarded one of the teachers from main land China as a peasant..
- Needed recognition by the Board that this was a needy school: then the cost of transportation and hot lunches would be provided by the Board.
- Watchful to see that the Mandarin program meets all Alberta requirements and expectations,

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